

**NATIONAL EXECUTIVE COMMITTEE
OF
THE AMERICAN LEGION
May 4-5, 2022
Indianapolis, Indiana**

Resolution No. 5: Statement of Policy and Procedures for the Temporary Financial Assistance Program

Origin: Committee on Children & Youth

Submitted by: Finance Commission

WHEREAS, The purpose of The American Legion's Temporary Financial Assistance (TFA) program is to ensure the integrity of the American family home, health and well-being for children of eligible veterans through cash grants that provide direct maintenance to those children; and

WHEREAS, Having a comprehensive, well-detailed and regularly reviewed statement of policy and procedures for any program is vital to ensuring uniform understanding and applicability for administration of that program; and

WHEREAS, There is now an opportunity to enhance the previous TFA Statement of Policy so that it may provide more well-defined guidelines in conducting investigations and applicability of administrative procedures; and

WHEREAS, Incorporating greater detail within the TFA Statement of Policy will provide for a more uniform interpretation by investigators and departments, subsequently providing greater program standardization and applicability; and

WHEREAS, Establishing a guide that provides well-defined TFA program procedures, adjunct to the Statement of Policy, is now therefore recommended by the Committee on Children & Youth, with concurrence of the Americanism Commission; and

WHEREAS, Establishing separation between the resolution and the TFA Statement of Policy and procedures is further recommended by the Committee on Children & Youth, with concurrence of the Americanism Commission, so as to aid in clarity and flexibility for easily updating procedural changes which may further evolve; now, therefore, be it

RESOLVED, By the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, on May 4-5, 2022, That the statement of policy governing the Temporary Financial Assistance hereby remain as follows:

- **A single one-time non-repayable Temporary Financial Assistance grant of up to \$1,500 may be permitted for the minor child(ren) of a qualifying veteran;**
- **A qualifying veteran is defined as a member of the United States Armed Forces currently serving on federal orders under Title 10 of the United States Code, inclusive of all components, or any veteran possessing an up-to-date membership in The American Legion;**
- **An inquiry into and verification of the need, and cause of need, should be conducted by a personal visitation to the home or other whereabouts of such child(ren) by a competent investigator(s);**
- **Formal documentation and/or a signed written testament of an investigator's statement of findings is required as part of the Temporary Financial Assistance**

investigation process, and verification that all other forms of financial assistance available have been sought and applied for, or have already been denied;

- **Annual cumulative expenditure of Temporary Financial Assistance grants may not exceed \$700,000 without prior approval of each chairman of the Americanism and Finance Commissions and the national commander; and, be it further**

RESOLVED, That the Committee on Children & Youth, with review and concurrence of the Americanism and Finance Commissions, develop, maintain in writing, and review biennially (every two years) the conditions, rules, guidelines, and procedures for managing administration of the Temporary Financial Assistance program; and, be it finally

RESOLVED, That Resolution No. 8 of the National Executive Committee, October 2017, titled "Restructure of Temporary Financial Assistance Statement of Policy," is hereby superseded and rescinded

THE AMERICAN LEGION NATIONAL HEADQUARTERS

TEMPORARY FINANCIAL ASSISTANCE STATEMENT OF POLICY AND PROCEDURES

I. GENERAL PURPOSE

The Temporary Financial Assistance program of The American Legion shall have as its purpose:

- A. "To safeguard and transmit to posterity the principles of justice, freedom and democracy."
- B. "To consecrate and sanctify our comradeship; by our devotion to mutual helpfulness." The insurance of the integrity of the American family home and the health and well-being of future generations are essentials to the purposes stated above. Funds made available for Temporary Financial Assistance shall accordingly be expended to contribute directly to the welfare and health of individual minor child(ren) in the home of a qualifying veteran or military service member.
- C. Temporary Financial Assistance grants may be made in such amounts as authorized to meet, or to help meet, the basic needs of eligible minor children from the time such need becomes known until such time as the family's local community, state and/or federal government have had a reasonable opportunity to provide or develop the resources necessary to meet the full extent of the need.

II. GRANTS

- A. A single onetime non-repayable Temporary Financial Assistance grant of up to \$1,500 will be permitted in accordance with qualifications set forth in this document for the minor child(ren) of a qualifying veteran.
- B. Annual cumulative expenditure of Temporary Financial Assistance grants may not exceed \$700,000 without prior approval of each chairman of the Americanism and Finance Commissions and the national commander.
- C. An application for a Temporary Financial Assistance grant must be processed in a timely manner at all levels of routing, handling, and approval, to ensure that immediate financial assistance is provided to support eligible child(ren) in need.

III. DEFINITIONS

A. Eligibility and Qualification

- 1. A qualifying veteran or servicemember is defined as a member of the United States Armed Forces serving on federal orders current under Title 10 of the United States Code, inclusive of all components, or any veteran possessing an up-to-date membership in The American Legion.
- 2. The child of a qualifying veteran or servicemember, as defined above, is deemed eligible for Temporary Financial Assistance provided:
 - a. Such child is in need as determined by a formal investigation revealing a verifiable need.
 - b. That such investigation further reveals there are no other resources available, or

that those available are inadequate to meet the needs of the child.

B. Need

Need is defined as the condition which exists when sufficient resources are not immediately available to meet the requirements of an eligible child as defined. Since no two circumstances are identical and since circumstances, requirements, and resources will differ, no two cases are likely to present the same exact need. Need is ordinarily measured by relating available resources to total requirements and circumstances. Need for the purposes of this program shall be defined as maintenance needs and health needs. Maintenance and health needs are defined as follows:

1. Maintenance

a. Essential consumables

- Groceries, household cleaning supplies, personal hygiene supplies

b. Shelter

- Include mortgage and rent only*; property taxes are excluded

c. Utilities

- Includes electric, gas, propane, water, trash and sewer

d. Clothing

e. Educational Expenses

- Includes learning fees, basic school supplies, basic internet fee up to a maximum consideration of \$50 per month (does not include fees for cable TV or phone connectivity)

f. Insurance

- Includes medical and dental premiums up to a maximum consideration of \$500 per month

g. Vehicle Fuel

- Includes a maximum consideration of up to a maximum of \$75

h. Other needs as determined by the Chairman of Committee on Children & Youth or their authorized designee.

i. In no case shall maintenance be defined to include debts incurred prior to date of application; except that: (1) an allowance may be made to reinstate utilities; *(2) a provision may be made for the occupancy of a residence if such residence is being purchased or rented and would otherwise be lost.

2. Health Needs

a. Health needs shall be defined as: (1) medical and therapeutic care; (2) non-elective surgery; (3) dental care; (4) pharmaceuticals and pharmaceutical supplies; (5) Medically required nutrition; (6) hospitalization; (7) nursing and convalescent care; (8) other professional medical services.

b. Provided that competent medical authority determines and verifies such services as listed are necessary for the prevention, alleviation, or cure, of sickness or physical defect.

c. In no case shall health needs be defined to include services rendered prior to date of application except when in the event of seeking emergency life-saving health care for the minor child(ren).

- d. In no case shall health needs be interpreted to include any treatment or care solely for cosmetic purposes, except that: treatment or care for physical appearance purposes is permissible, provided that competent medical authority determines and verifies such care or treatment will contribute to the mental or emotional health of the minor child(ren).

C. Child

The word "child" shall be defined as:

1. A youth who is unmarried and under 18 years of age if the youth remains in high school, however, Temporary Financial Assistance may be extended to youth over the age of 18 until their completion of high school, provided the child is unmarried and has not reached 21 years of age.
 - a. Living full-time in the home of a qualifying veteran or servicemember and is:
 - A biological child of the veteran or servicemember; or
 - A child legally adopted by the veteran or servicemember; or
 - A stepchild by marriage of the veteran or servicemember; or
 - A child who is under the legal guardianship of the veteran or servicemember.
2. Not living full-time in the home of a qualifying veteran or servicemember
 - a. Where a qualifying veteran or servicemember is judicially ordered or decreed to 50-50 joint physical custody of a biological, adopted, stepchild or child under legal guardianship of that qualifying veteran or servicemember. In the case of joint custody judicially ordered or decreed, resources of both households must be considered in determining the needs of the child, without regard to the present location of the child.
 - b. Where a qualifying veteran or servicemember is judicially ordered or decreed to pay child support for a biological, adopted, stepchild, or child under legal guardianship of that qualifying veteran or servicemember.
3. Deceased qualifying veteran or servicemember
 - a. A biological, adopted, stepchild, or child under legal guardianship of a recently deceased qualifying veteran or servicemember is eligible if the American Legion membership of a veteran or active-duty service of a servicemember is no greater than one year immediately prior to the date of the TFA application.

D. Investigation

The word "investigation" means:

1. A personal visitation to the home or other whereabouts of such child by a trained two-person team that includes an official of an American Legion post or by duly authorized persons should be conducted. Investigations should be conducted by a trained two-person team in the interest of both personal safety and as a training opportunity.
2. An inquiry into and verification of the need and cause of need. In the case of joint custody judicially ordered or decreed, resources of both households must be considered in determining the needs of the child, without regard to the present location of the child.

3. Inclusion of a fully completed application form and investigator's form which include the investigator's observations and statement of evaluation of the facts. An application for a TFA grant must be handled and routed with minimal delay to ensure timely relevance of the information and supporting documentation enclosed, and to ensure immediate financial assistance is provided to support eligible child(ren) in need.
4. Formal supporting documentation is required as part of the Temporary Financial Assistance investigation process and application packet for verification that all other forms of financial assistance available have been sought and applied for or have already been denied.

E. Orientation

The word "orientation" means:

1. A competent investigator has completed the self-tutorial "TFA Investigator Baseline Orientation" PowerPoint made available by the national level.
2. The "TFA Investigator Baseline Orientation" PowerPoint must be completed prior to their first investigation; the same PowerPoint may be used as a refresher for a seasoned investigator.
3. Completion of the "TFA Investigator Baseline Orientation" PowerPoint is the responsibility of each individual, no reporting of completion to the national level is necessary.
4. American Legion departments that wish to mandate additional orientation requirements for their TFA investigators may do so.

F. Resources

The word "resources" is defined as:

1. Finances and property within the family of the child which shall be deemed to include, but not limited to:
 - a. Earning and other income.
 - (Note: In the case of custody judicially ordered or decreed, resources of both households must be considered in determining the needs of the child, without regard to the present location of the child.)
 - b. Real and personal property.
 - c. The sale of essential real and personal property shall not be required.
 - d. Intangible property such as stocks, bonds, savings, insurance, etc.
2. The temporary assistance that can be made available through The American Legion post and American Legion Auxiliary unit from their finances. (By Resolution No. 3 (Spring 2014) titled "The American Legion Poppy Program," funds from the sale of the poppy must be used for child welfare and veterans' rehabilitation).
3. Facilities, provisions, and benefits established by law and supported with public funds for children of veterans and/or for all children which shall be deemed to include, but not limited to:
 - a. Benefits from United States Veterans Administration for Veterans and their dependents:

- Widow's and orphan's pension; (2) Compensations; (3) Pension; (4) National Service Life or Government Life Insurance; (5) Readjustment allowances; (6) Burial allowances and other benefits.
- b. Federal Social Security provisions and/or cooperative state and local provisions:
- Social Insurance Programs
- Old Age, Survivor's, and Disability Insurance
 - Unemployment Insurance
 - Workers Compensation
 - Temporary Disability Insurance
- Health Insurance and Health Services
- Medicaid
 - Medicare
- Programs for Specific Groups
- Veterans Benefits
 - Government Employee Retirement System
 - Railroad Retirement
- c. Assistance Programs
- Supplemental Security Income
 - Aid to Families with Dependent Children
 - General Assistance
 - Supplemental Nutrition Assistant Program (SNAP), commonly referred to as "food stamps"; Special Supplemental Nutrition Program for Women, Infant and Children (WIC)
 - Housing Choice Voucher Program sponsored by U.S. Department of Housing and Urban Development
 - Other specialized services and aid including, but not limited to, local medical assistance, public health clinics, state resources, vocation rehabilitation, etc.
4. Financial assistance provided through the departments of The American Legion and American Legion Auxiliary.
5. Private charities and any other assistance that may come to the child.

IV. AMERICAN LEGION POSTS

A. Responsibility

It is the responsibility of posts of The American Legion to:

1. Appoint, elect, or otherwise designate, a qualified member as post Children & Youth chairman or officer.
2. Provide such funds as are possible to aid in meeting the needs of children.
3. Enlist the interest and participation, financially and otherwise, of units of the American

Legion Auxiliary, and other like-minded and affiliated groups organized in their communities.

4. Cooperate with existing social welfare agencies of the community to improve services for children and to represent to such agencies the special needs of minor children whose parents served in the military forces during periods of conflict.
5. Originate applications for Temporary Financial Assistance, conduct the appropriate investigation, and forward such completed applications promptly to their duly authorized department representative as so designated by the department. Investigations should be conducted by a two-person team in the interest of personal safety and as training opportunity.

V. DEPARTMENTS

A. Responsibility

It is the responsibility of departments of The American Legion to:

1. Appoint or otherwise designate a qualified individual(s) whose responsibilities, insofar as Temporary Financial Assistance is concerned, shall be:
 - a. To receive applications for Temporary Financial Assistance from posts.
 - b. Review and validate such applications in the light of policies established herein and administrative procedures established by the National Organization. An application for a TFA grant must be handled and routed with minimal delay to ensure timely relevance of the information and supporting documentation enclosed, and to ensure immediate financial assistance is provided to support eligible child(ren) in need.
 - c. Verify that the post is making full use of all available resources.
 - d. To secure financial help from department funds or from other state-wide sources when available.
 - e. To forward promptly to the Americanism Division fully completed applications they have approved with a recommendation as to the amount of aid needed, not to exceed \$1,500 as a one-time, life-time assistance grant.
 - f. To maintain, supervise the maintenance of, and/or cooperate with the department adjutant or other department officials in the maintenance of necessary files, books, records, case histories, or other papers relating to Temporary Financial Assistance in such a manner as to prevent the release of confidential matters to unauthorized persons and to provide continuity of records from year to year.
 - g. To forward to the Americanism Division an annual report of child expenditures and activities within the department and the posts thereof, and such other reports as may be required.
 - h. To stimulate posts of their state, department officials, and officials of affiliated groups when it appears that the needs of children are not being adequately met, and to advocate for children of veterans and military servicemembers within their state.
2. Make available such funds and facilities as are possible and necessary to discharge the responsibilities outlined previously.

3. Ensure the delivery of Temporary Financial Assistance check(s) issued by National Headquarters to the parent or legal guardian having physical custody of the eligible child(ren) at the time of the application for assistance.

VI. AMERICANISM DIRECTOR

A. Responsibility

It is the responsibility of the Americanism Director of The American Legion to ensure:

1. Receipt of applications from the designated qualified individual(s) of a department and that such applications are reviewed.
2. Interpret policies as set forth herein and determine eligibility for payment of Temporary Financial Assistance based upon the merits of individual applications.
3. In the light of information presented in the application and in accordance with good child welfare practice, determine amount of payment needed, and so recommend to the National Adjutant. Upon National Adjutant approval:
 - a. Checks involving third-party creditor(s) will be made out to the creditor(s) and to the parent or legal guardian having physical custody of the eligible child(ren) at the time of the application for assistance.
 - b. Single-party checks may be made out to the parent or legal guardian having physical custody of the eligible child(ren) at the time of the application for assistance when no third-party creditor(s) is involved. Examples of a single-party check would include for the purchase of groceries, clothing, vehicle fuel, hygiene, and household supplies, etc.
4. Carry on correspondence with the designated qualified individual(s) of a department to clarify and verify eligibility and need reflected in an application.
5. Make such reports concerning Temporary Financial Assistance as may be required by the National Commander, National Adjutant, the Endowment Fund Corporation, Finance and or also the Americanism Commission, or Committee on Children & Youth.
6. With the advice of, and subject to the approval of the National Adjutant, develop and distribute application forms and such other forms as may be necessary to carry out the provisions herein stated.
7. Maintain all records, files, statistics, and other papers or electronic documents regarding TFA application cases, with the exception of finance records, which shall be the primary responsibility of the Corporate Financial Controller.
8. Annually, or more frequently, if necessary, determine and recommend to the National Adjutant the amount of money necessary to carry out the Temporary Financial Assistance program of the National Organization for the budget year.
9. Advise the Committee on Children & Youth of the details regarding operations of the Temporary Financial Assistance program, recommend such changes in existing policies and procedures as are deemed necessary from time to time, and secure from the committee its advice and counsel.
10. Maintain continuous check on applications received and expenditures for Temporary

Financial Assistance, and at such time as future budgetary needs for Temporary Financial Assistance appears to exceed probable available funds, inform the National Adjutant and take such steps as so directed.

11. Maintain cooperative relationships with other national agencies in the interest of improved services to children, and advocate for children of veterans and military servicemembers.
12. Ensure training and relevant program information is made available to TFA investigators, designated qualified individual(s) of a department and national leadership, as well as having publications and information for the promotion of the TFA program provided for the general public.
13. May delegate day-to-day operational duties of TFA program management, and other duties as the Americanism Director may assign, to the Youth Welfare Program Manager.

VII. YOUTH WELFARE PROGRAM MANAGER

A. Responsibility

It is the responsibility of the Youth Welfare Program Manager to:

1. Oversee and conduct day-to-day operational duties of TFA program management, and other duties as assigned by the Americanism Director.
2. Day-to-day operational duties that may be delegated by the Americanism Director may include, but not necessarily limited to:
 - a. Initially receives TFA application packet submitted from a department, and sends return acknowledgement of receipt to originating department.
 - b. Review and validate TFA packet for completeness, clarity, eligibility, and a demonstrated financial need.
 - c. As needed, carry on correspondence with the designated qualified individual(s) of a department to ensure completeness, clarity, eligibility, and a demonstrated financial need, and request additional information or return the TFA application packet as may be needed.
 - d. Determine the amount of payment needed, not to exceed a \$1,500 one-time, life-time assistance grant, and so recommend to the Americanism Director.
 - e. Upon notification of approval by the National Adjutant, submit check request(s) to the Finance Division.
 - f. Upon receipt of the check(s) from the Finance Division, notify the department of the TFA case approval via email, and then send check(s) to the department.
3. Maintain all records, files, statistics, and other papers or electronic documents regarding TFA application cases, with the exception of finance records, which shall be the primary responsibility of the Corporate Financial Controller.
4. Generate such reports concerning Temporary Financial Assistance as may be requested by the National Commander, National Adjutant, the Endowment Fund Corporation, Finance and or also the Americanism Commission, Committee on Children & Youth, or Americanism Director.

5. Maintain continuous check on applications received and expenditures for TFA, and at such time as future budgetary needs for TFA appears to exceed probable available funds, inform the Americanism Director.
6. Advise the Americanism Director and Committee on Children & Youth of the details regarding operations of the TFA program, recommend such changes in existing policies and procedures as are deemed necessary from time to time, and secure from the director and the committee their advice and counsel.
7. Develop, update, and maintain relevance of publications and electronic resources containing information regarding the TFA program.
8. Develop, update, maintain and make available training and other relevant program information for TFA investigators, designated qualified individual(s) of a department and national leadership, as well as having publications and information for the promotion of the TFA program provided for the general public.

VIII. NATIONAL ADJUTANT

A. Responsibility

It is the responsibility of the National Adjutant of The American Legion to:

1. Receive the recommendations for Temporary Financial Assistance from the Americanism Director and authorize payment in those cases which appear proper.