THE AMERICAN LEGION
A QUICK GUIDE FOR LEADERSHIP ON FREQUENTLY ASKED QUESTIONS

Have we considered extending eligibility to Cold War veterans? This would assist in increasing our membership.

There was a very detailed study conducted in 1985 and is known as the Godwin Study (Membership Eligibility Study Committee Report). The study committee was charged to do the following:

- Study the history and precedents of all past eligibility studies and changes.
- To evaluate the distinction between "wartime veterans" and "peacetime veterans."
- To estimate the timing requirements to effect the change in our Congressional charter.
- To analyze the ultimate change in The American Legion's long-standing history of being an organization of "War Veterans" and the impact of any change on the principles established at the founding of The American Legion.

The bottom-line of the study and the policy of the National Executive Committee adopted was that we would remain an organization of "Wartime Veterans" and that place of service does not impact eligibility, i.e., service in a combat zone is not a requirement for American Legion membership eligibility. As far as aiding veterans not eligible for The American Legion, our service officers will assist these veterans with any issue just like they do our members. It makes no difference if they are a member of The American Legion or not.

The Godwin study provides the most detailed and thorough review of eligibility issues to date.

Has this policy on eligibility been reviewed since 1985?

Since the study, every National Convention except two has faced the issue of a proposed change in eligibility. Resolutions received for the National Conventions were reviewed by the Constitutional Amendments Convention Committee as well as Credentials and Internal Affairs Convention Committee consisting of delegates from the 55 departments and their actions were confirmed by the almost 3,000 delegates to the Conventions. All proposed changes to eligibility went thru this process; all proposals to open eligibility were rejected. Hence, the considerations reviewed by the Godwin Study Committee are still applicable to The American Legion today.

If my post wants to try to change the eligibility for American Legion membership, how do we do it?

The process starts with a resolution from the post level where individual thoughts are distilled into a formal recommendation. It makes its way thru department to the national level where it is reviewed and the Constitutional Amendments or Credentials and Internal Affairs Convention Committee(s) make(s) their recommendation to the National Convention delegates.

The process described above has served The American Legion well since 1919. It takes individual thoughts/opinions and by a systematic procedure turns them into corporate policy.

Our post has struggled to get new members. We are a small post with an aging membership and we believe The American Legion should open membership to all veterans so we can increase our membership.

There are more than 17 million veterans who are eligible to join The American Legion who are not members. Nationally we have consistently penetrated 13% of the eligible market. We have a very large market of fully qualified "wartime veterans" just waiting to be asked. Yes, there are posts that are struggling for membership because of where they are located and where the eligible veterans may be living.

What is the IAVA? My understanding is this is a veteran's organization that was just founded for the veterans of Iraq & Afghanistan. They are already 125,000 strong and growing. Why is there such a group? And why hasn't The American Legion met their needs so they would not have to form such a group?

The IAVA stands for "Iraq and Afghanistan Veterans of America." They are an organization of veterans who served during Operation Iraqi Freedom and Operation Enduring Freedom.

It is not uncommon for special interest organizations like IAVA to spring up after wars and conflicts. It happened, for example, after the Vietnam War with the Vietnam Student Organizations on college campuses.

The IAVA exists because of special interest funding and generational interests. If history repeats itself, their members will join other veteran service organizations because we all have similar interests. There are significant differences between The American Legion and IAVA. An Iraq-Afghan veteran can join IAVA free of charge. IAVA has no structure and no programs other than legislative issues. It is basically a social network community that has no grassroots presence like The

American Legion. They are not chartered by Congress or recognized by the Department of Veterans Affairs for veterans claims representation.

It may appear to some that The American Legion does not meet the needs of these veterans because we do not reach out to them consistently on the local level. We need to be there when they join the military service, when their unit deploys overseas, when their families need help, and when they return from assignment. We have the structure, the programs and we have 2.5 million members in over 14,000 posts to extend a helping hand. We are a grassroots, community-based organization, not just a social network of computers. We have service officers to help them with their needs. We are there to help; we must see to it that they know this. Every American Legion member needs to extend a hand and thank these young veterans. Welcome them home and help them with their issues—healthcare, scholarships, housing and employment, just to name a few.

Why is so much emphasis placed on district commanders when these offices are not even required by the organization? The National Constitution & By-Laws places restrictions on "intermediate bodies" and national seems to be ignoring that provision and not defining what district officers are responsible for.

The Constitution gives the department authority to create intermediate bodies between posts and departments to promote the programs of The American Legion. It further states that the Department Executive Committee shall define the powers of the intermediate bodies (district, county, division, etc.) so as not to invade the prerogatives invested in the post, department or National. Information was derived from departments over the years on how they utilize their intermediate organizations and we had several requests to put this information in the *Officer's Guide and Manual of Ceremonies*.

In summary, the district (county, region or division in some departments depending on size and desire) commander is the department commander's link between department and posts in order to enhance The American Legion programs. This vital link serves to extend the communications span of the department commander but does not usurp his/her responsibilities. The district commander is the liaison between the post and department, but also has the implied obligation to provide guidance and supervision within the guidelines established by the department executive committee. The district commander is a vital communications link between department and posts in conducting The American Legion programs. The *Officer's Guide* stresses how to organize committees, conduct meetings and evaluate post programs.

If you look at other veterans' service organizations' (VSOs) life membership programs you will see they are less expensive for their members to purchase. For example in one VSO for the age group of 50 to 60 a life membership is around $400. For the same age group in The American Legion it is around $700.

When The American Legion Paid Up For Life plan was set up, the actuaries anticipated that departments and posts would increase their dues only when national increased the national per capita dues. This has not been the case inasmuch as the national per capita is increased once every seven years or so while some posts/departments increase their dues on a more frequent basis. Therefore, for several years national was required to send more money to various posts and departments than had been anticipated in the actuarial charts.

This was corrected by the NEC over the course of several years by enacting resolutions which froze the amount of reimbursement to posts, departments and national at the level existing when the PUFL was purchased.

Meanwhile, it was discovered that, out of some 225,000 existing PUFLs, about 30,000 were deceased and that fact had not been reported to either the departments or national by the posts. This was causing some $600,000 a year to be drained out of the trust.

Additionally, upon close scrutiny, we discovered there were a number of people (small, yet significant) who had incorrectly stated their age at the time they paid for the PUFL, thereby skewing the actuarial tables and payment charts.

All of this was corrected in 2009 with an actuarial recalculation of rates, a requirement that proof of age be submitted, a regular system installed to ensure that national was apprised of deaths, and a requirement put in place for an actuarial reassessment every year.

The rates that are currently charged by national are based on your age at application and the dues currently being paid. It is an accurate rate which will ensure the trust always has sufficient money to pay the dues to the posts, departments and national (which were in effect at the time of purchase) and the individual will not have to pay any additional money after entering the program.

You can be assured The American Legion will never renege on its commitment to those who have purchased PUFLs, nor will the Legion ever ask current PUFLs to pay more. The rates will be adjusted from time to time as required to keep the trust actuarially sound, and persons contemplating the purchase of a PUFL can

consider the current rate and decide to purchase or not, knowing full well that if they do the Legion will fulfill its promise.

Some veterans in our community received a certificate of membership nomination from National Headquarters asking them to join the Legion for $25.00 by putting a sticker on the acceptance form without showing any discharge papers. Is this legitimate?

Yes, this is the Direct Membership Solicitation (DMS) program. The DMS program has been in effect since 1982 in very much the same form as it is now. The introductory rate is $25. The renewal rate is the same as the headquarters post rate in the department where they live. The individual must certify their eligibility on the application they return to national by indicating the dates they served on active duty, their character of discharge, their branch of service and their birth date. While occasionally someone has joined who was not eligible, this has not been a problem. Over 1.6 million members have joined through the DMS program and less than 500 were found to be ineligible when they went to a local post to transfer their membership from a headquarters post. It is still a requirement for the local post to verify eligibility when these members transfer into the local post.

The DMS program is a highly effective membership tool to augment the traditional recruiting efforts done by the 14,000 posts in order to reach many of the eligible veterans who are not members of The American Legion.

Why not include DMS in membership and all award calculations?

Emphasis on our award system is to reward volunteers who do the work. This argues for just including those members that posts, districts and department membership teams can influence to join---our traditional members. DMS is merely a tool to increase membership or replace attrition. DMS members are procured by national and then offered to departments after their first renewal if placed in traditional posts. However, these members count towards the department's delegate strength for the National Convention.

Why can't Vietnam-era veterans attend the National Legion College?

The Legion College is designed to mold leaders for the future. Our Vietnam-era members are typically, already in various leadership positions. The purpose of Legion College is for the graduates to take what they have learned and train members in the department because not every member can attend the National American Legion College.

Criteria to attend the Legion College is toward post-Vietnam veterans as first priority; however, if the department has one fully qualified candidate (post Vietnam) they can nominate a Vietnam-era veteran as an additional candidate.

Several departments have done this and we have had several Vietnam veterans attend. We don't like to see any of the 50 seats go unfilled in the annual program. First priority is a candidate from each department who is a post-Vietnam veteran and has at least two years in The American Legion. In selection of candidates, preference should be given to members who have or are holding leadership roles no higher than district/county level. It serves no purpose to send a past or current department officer.

This criterion is outlined on the Legion College application form, either in the hard copy sent to the departments or in the application that is posted on the Legion Web site. (www.legion.org).

Can National help in funding a local memorial or education center?

There is a long standing policy that the national headquarters will not financially support memorials, museums or education centers that are not in the greater Washington, DC, area and federally funded. In addition, they must be supported by Congress and the National Parks System.

Due to the increasing number of proposed memorials coming to the attention of the Internal Affairs Commission, it is not possible for The American Legion to honor all such requests for financial support; therefore, the Commission adopted the following policy:

The Internal Affairs Commission does not feel it can set aside one memorial for American Legion financial support from the many requests which are all worthy and deserving of consideration.

At the same time and in accordance with the Preamble of The American Legion Constitution, the Commission is mindful of the importance to ... "Preserve the memories and incidents of our associations in the great wars" and does not wish to inhibit in any way the construction of those memorials honoring the veterans of this nation. It is, accordingly, recommended that the Internal Affairs Commission, as a matter of policy, refrain from recommending financial support for one memorial at the exclusion of all other memorial requests. It is also recommended that the Internal Affairs Commission accept those national memorial requests honoring the veterans of this nation that have federal approval and to utilize all means available to The American Legion to encourage The American Legion membership, as well as the general public, to financially support these worthwhile projects.

The Commission feels that due to the complexities and potential financial obligations that The American Legion might be faced with in supporting a particular initiative that there should be an EXCEPTIONAL DEMONSTRATED NEED for such support with the following accompanying documentation

attached to the resolution so that the Commission can make a proper recommendation to the National Executive Committee:

- Stated objectives of the Association/Foundation/ Sponsoring Activity
- Amount of funds needed to complete the project and a plan for how to achieve the funds
- Plan to sustain and maintain the memorial, monument, education center, etc.
- Copy of incorporation papers
- List of the Board Of Directors
- A copy of the last audit
- A copy of the most recent financial statement(s)
- A copy of annual meeting minutes of Board Of Directors, certified by CEO

What is the policy for designating a poem, book, march, or song as "official" for The American Legion?

Occasionally, resolutions are received seeking to make an original composition an official American Legion march, song, book, poem, etc. Most of these creations show great professional competence and reveal a sincere affection for The American Legion and its principles. However, the Internal Affairs Commission does not feel that it has the authority to judge, among many artistic creations, those which are so superior that they should be designated as official American Legion marches, songs, poems, etc. Furthermore, a review of the record found that in 1922 a musical contribution "Armistice Day Forever" by Barry J. Sick was given the status of official American Legion march by the National Executive Committee.

There have been numerous occasions since then when musical compositions have been so honored, but the record also shows that the assignment of the words "official" to a particular composition by the National Convention or the National Executive Committee in no way guarantees that the composition will be used throughout the organization. The Internal Affairs Commission has since adopted a policy that it would refrain from designating or recognizing any artistic work as "official" or to recommend the use of any composition by The American Legion to the exclusion of other compositions.

The Internal Affairs Commission is mindful of the high compliment paid to The American Legion by its members who use their talents to create artistic works dedicated to the Legion or intended for the use of the Legion, and we do not wish to do anything to inhibit the artistic expression that members exhibit for The American Legion.

When I see how my Congress members vote on veterans' entitlement issues, I have a feeling they don't really care about veterans. When is The

American Legion going to make their votes public? Why don't you have a wall of shame for all elected officials who vote against veterans issues?

All votes of members of Congress are public – there are no secret votes; unfortunately, many veterans' bills are agreed to under unanimous consent (voice vote). Another problem is that veterans' bills are often included in omnibus legislative packages; that means there are many other provisions not related to veterans' benefits or issues that are controversial. A member's vote against or for such omnibus bills may not reflect a member's true position on a veterans' benefit or issue.

We have seen other organizations develop scorecards and our feeling in some cases is that they were inadequate in measuring a member's support of veterans' and their families. Frequently, these scorecards are used by politicians to muster support or opposition in political races. Very few veterans' benefits or issues are passed as free-standing bills or by roll call votes that would clearly reflect a member's support or opposition.

The fact is that it takes a majority in the House and the Senate to get bills to the White House. The First Session of the 111th Congress was extremely successful for the veterans' community. Congress passed Public Law 111-81 providing advance appropriations for VA medical care accounts – a top priority for The American Legion and many other veterans' service organizations. VA appropriations for FY 2010 met or exceeded every recommendation made by The American Legion and were in an omnibus appropriations bill with a number of other appropriations bills passed under unanimous consent.

The best way to know a lawmaker's position is to ask them – by letter, phone call, town hall meeting, etc. Make your judgment based on his or her response to you. Hold your two Senators and your representative accountable.

On the whole, veterans' benefits have improved significantly. Rather than a wall of shame, one could argue that there are many veterans' champions in Congress. The American Legion has never been and will never be a single-issue national wartime veterans' service organization. For the most part, Congress is veteran-friendly.

How can I get The American Legion at the local, state and national level to support a candidate running for Congress from my hometown that supports veterans' issues as well as supports a number of important positions held by The American Legion?

According to Article II, Section 2, of the Constitution of The American Legion, "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." Therefore, we are unable to

help the candidate; however, you as a private citizen can do whatever is legal and ethical to advance his/her candidacy.

Why doesn't The American Legion establish a male auxiliary or allow male spouses of female veterans to join The Sons of The American Legion?

Female veterans are most certainly welcome in The American Legion and have been since 1919 and well before women could vote in this nation. Your issue is with their spouses who have not joined the military.

The Sons of The American Legion was established in 1932 as a program, comprised of male descendants, adopted sons, and stepsons of members of The American Legion. Sons of female veterans who are eligible to join The American Legion are qualified for The Sons of The American Legion. In 1972 and 1973, the National Executive Committee (NEC) created a National SAL under the full supervision and control of the NEC with over watch delegated to the Internal Affairs Commission. The key to eligibility is male lineage of a veteran parent or grandparent as outlined above.

According to the Veterans Administration there are 1.5 million female veterans. A study conducted in 2005 by the Defense Department Advisory Committee on Women in Services states that 81% of male spouses of female veterans have served in the military. Based on these statistics and adjustments for marriages after leaving active duty, there could be slightly over 30,000 male spouses of female veterans who could not join The American Legion based on their own eligibility. However, a sizeable number of these male spouses could be eligible for the SAL based on their father, grandfather or step father eligibility for The American Legion. This estimated population is significantly smaller than 30,000.

The corporate process to make changes starts with a resolution from the post level where individual thoughts are distilled into a formal recommendation. The resolution makes its way through department to the National level where it is reviewed and the Constitutional Amendments or Credentials and Internal Affairs Convention Committee(s) make(s) their recommendation for a change to the Legion Constitution to the almost 3,000 National Convention delegates from all 55 departments.

Over the last few years, Internal Affairs has had three resolutions on male spouses of female veterans (two to join the SAL and one to establish a separate male auxiliary) that were considered by the various Convention Committees and all three were rejected.

In all cases they have validated the basic principles that The American Legion should not establish a male auxiliary or change the lineage for the Sons of The American Legion. The process as described above has served The American

Legion well since 1919 where it takes individual thoughts/opinions and by a systematic procedure turns them into a corporate policy.

What is The American Legion doing about the USS Liberty tragedy?

The tragic mistaken identity attack by Israelis on the USS Liberty on June 8, 1967 provoked a great deal of controversy among surviving members of the crew and family members. Though residual anger and suspicions remain, the incident was the subject of ten US investigations and three by the Israelis. In the American investigations, the full weight of the US Government allowed access to all of the relevant security information. Though some accusations were made suggesting the reports sought to hide facts or protect Israel, no credible evidence for these charges has been produced at the US Government level.

The Foreign Relations Convention Committee of The American Legion reviewed the action taken by OSD and Congress on this incident and they voted to reject Resolution 235 submitted by the Department of District of Columbia at the 84th Annual National Convention in Charlotte, North Carolina, August 2002.

What is the status of "on-line" renewals?

An "On-line" renewal system has been successfully tested in five departments. The National Commander appointed an ad hoc committee to study implementing in all departments. At the 2010 Spring Meetings, a resolution was approved to make the required changes to the Constitution and By-Laws at the 92d National Convention in Milwaukee. At the National Convention, the delegates will vote on the required constitutional changes in order to implement "on-line" renewals in June 2011.

As budgets get tighter and Congress looks for "bill payers" and so called "peace dividends", we must always fight to maintain the benefits for our military, our veterans and their families. The history of America's veterans began in 1636 with the creation of veterans' benefits by the Plymouth Colony Pilgrims in Massachusetts, who were at war with the Indians. According to the Pilgrims: "If any man shall be sent forth as a soldier and shall return maimed, he shall be maintained competently by the colony during his life."

The American Legion firmly believes that veterans and their families have earned every benefit awarded to them by a grateful nation because of their selfless service. Indeed, this basic principle was succinctly written into law when the Supreme Court stated in 1983:

"It is … not irrational for Congress to decide that, even though it will not subsidize substantial lobbying by charities generally, it will subsidize lobbying by veterans'

organizations. Veterans have 'been obliged to drop their own affairs and take up the burdens of the nation, subjecting themselves to the mental and physical hazards as well as the economic and family detriments which are peculiar to military service and which do not exist in normal civil life.' Our country has a long-standing policy of compensating veterans for their past contributions by providing them numerous advantages. This policy has 'always been deemed to be legitimate.'" Chief Justice of the United States William H. Rehnquist (5/83)