



# American Legion Auxiliary

## National Constitution, Bylaws and Standing Rules

**2019 UPDATE**

*Revision Adopted 2013*

*Initially Adopted 1921*



**In the Spirit of Service Not Self  
for Veterans, God and Country**



# **American Legion Auxiliary Constitution & Bylaws, Standing Rules**

## **AUTHORITY**

**The National Constitution of the American Legion Auxiliary**, as set out herein, is in full force and effect and represents action taken by National Conventions, being the Constitution adopted at the First National Convention, Kansas City, MO, November 1-2, 1921, and as amended at the Second Annual Convention, New Orleans, LA, October 16-20, 1922; Third Annual Convention, San Francisco, CA, October 15-19, 1923; Fourth Annual Convention, St. Paul, MN, September 15-19, 1924; Fifth Annual Convention, Omaha, NE, October 5-9, 1925; Sixth Annual Convention, Philadelphia, PA, October 11-15, 1926; Seventh Annual Convention, Paris, France, Ratification Meeting, New York, NY, October 18, 1927; Eighth Annual Convention, San Antonio, TX, October 8-12, 1928; Ninth Annual Convention, Louisville, KY, September 30 - October 3, 1929; Eleventh Annual Convention, Detroit, MI, September 21-24, 1931; Fourteenth Annual Convention, Miami, FL, October 22-25, 1934; Seventeenth Annual Convention, New York, NY, September 20-23, 1937; Nineteenth Annual Convention, Chicago, IL, September 25-28, 1939; Twenty-second Annual Convention, Kansas City, MO, September 19-21, 1942; Twenty-third Annual Convention, Omaha, NE, September 21-23, 1943; Twenty-fifth Annual Convention, Chicago, IL, November 18-21, 1945; Twenty-sixth Annual Convention, San Francisco, CA, September 30 - October 4, 1946; Twenty-ninth Annual Convention, Philadelphia, PA, August 29 - September 1, 1949; Thirty-first Annual Convention, Miami Beach, FL, October 15-18, 1951; Thirty-second Annual Convention, New York, NY, August 25-28, 1952; Thirty-third Annual Convention, St. Louis, MO, August 31 - September 3, 1953; Thirty-fourth Annual Convention, Washington, DC, August 30 - September 2, 1954; Thirty-fifth Annual Convention, Miami Beach, FL, October 10-13, 1955; Thirty-sixth Annual Convention, Los Angeles, CA, September 3-6, 1956; Thirty-seventh Annual Convention, Atlantic City, NJ, September 16-19, 1957; Thirty-ninth Annual Convention, Minneapolis, MN, August 24-27, 1959; Fortieth Annual Convention, Miami Beach, FL, October 17-20, 1960; Forty-sixth Annual Convention, Washington, DC, August 29 - September 1, 1966; Forty-seventh Annual Convention, Boston, MA, August 28-31, 1967; Forty-ninth Annual Convention, Atlanta, GA, August 25-28, 1969; Fiftieth Annual Convention, Portland, OR, August 31-September 3, 1970; Fifty-first Annual Convention, Houston, TX,

August 30-September 2, 1971; Fifty-second Annual Convention, Chicago, IL, August 21-24, 1972; Fifty-third Annual Convention, Honolulu, HI, August 19-23, 1973; Fifty-fourth Annual Convention, Hollywood, FL, August 19-22, 1974; Fifty-sixth Annual Convention, Seattle, WA, August 23-26, 1976; Fifty-seventh Annual Convention, Denver, CO, August 22-25, 1977; Fifty-eighth Annual Convention, New Orleans, LA, August 21-24, 1978; Sixtieth Annual Convention, Boston, MA, August 18-21, 1980; Sixty-first Annual Convention, Honolulu, HI, August 30 - September 2, 1981; Seventy-first Annual Convention, Phoenix, AZ, August 31-September 5, 1991; Seventy-fifth Annual Convention, Indianapolis, IN, September 2-6, 1995; Seventy-eighth Annual Convention, New Orleans, LA, September 5 - 10, 1998; Ninety-second Annual Convention, Indianapolis, IN, August 24-30, 2012; Ninety-third Annual Convention, Houston, TX, August 22-29, 2013; and Ninety-ninth Annual Convention, Indianapolis, IN, August 24-29, 2019.

**The Bylaws** as adopted at the Second Annual Convention, New Orleans, LA, October 16-20, 1922, and as amended at the Third Annual Convention, San Francisco, CA, October 15-19, 1923; Fourth Annual Convention, Saint Paul, MN, September 15-19, 1924; Fifth Annual Convention, Omaha, NE, October 5-9, 1925; Sixth Annual Convention, Philadelphia, PA, October 11-15, 1926; Eighth Annual Convention, San Antonio, TX, October 8-12, 1928; Ninth Annual Convention, Louisville, KY, September 30 - October 3, 1929; Eleventh Annual Convention, Detroit, MI, September 21-24, 1931; Thirteenth Annual Convention, Chicago, IL, October 2-5, 1933; Fourteenth Annual Convention, Miami, FL, October 22-25, 1934; Fifteenth Annual Convention, Saint Louis, MO, September 23-26, 1935; Sixteenth Annual Convention, Cleveland, OH, September 21-24, 1936; Eighteenth Annual Convention, Los Angeles, CA, September 19-22, 1938; Nineteenth Annual Convention, Chicago, IL, September 25-28, 1939; Twentieth Annual Convention, Boston, MA, September 23-26, 1940; Twenty-first Annual Convention, Milwaukee, WI, September 15-18, 1941; Twenty-second Annual Convention, Kansas City, MO, September 19-21, 1942; Twenty-third Annual Convention, Omaha, NE, September 21-23, 1943; Twenty-fifth Annual Convention, Chicago, IL, November 18-21, 1945; Twenty-sixth Annual Convention, San Francisco, CA, September 30 - October 4, 1946; Twenty-seventh Annual Convention, New York, NY, August 28-31, 1947; Twenty-eighth Annual Convention, Miami, FL, October 18-21, 1948; Twenty-ninth Annual Convention, Philadelphia, PA, August 29 - September 1, 1949; Thirty-first Annual Convention, Miami Beach, FL,

October 15-18, 1950; Thirty-second Annual Convention, New York, NY, August 25-28, 1952; Thirty-third Annual Convention, Saint Louis, MO, August 31 - September 3, 1953; Thirty-fourth Annual Convention, Washington, DC, August 30 - September 2, 1954; Thirty-fifth Annual Convention, Miami Beach, FL, October 10-13, 1955; Thirty-sixth Annual Convention, Los Angeles, CA, September 3-6, 1956; Thirty-seventh Annual Convention, Atlantic City, NJ, September 16-19, 1957; Thirty-eighth Annual Convention, Chicago, IL, September 1-4, 1958; Thirty-ninth Annual Convention, Minneapolis, MN, August 24-27, 1959; Fortieth Annual Convention, Miami Beach, FL, October 17-20, 1960; Forty-sixth Annual Convention, Washington, DC, August 29 - September 1, 1966; Forty-seventh Annual Convention, Boston, MA, August 28-31, 1967; Forty-eighth Annual Convention, New Orleans, LA, September 9-12, 1968; Forty-ninth Annual Convention, Atlanta, GA, August 25-28, 1969; Fiftieth Annual Convention, Portland, OR, August 31 - September 3, 1970; Fifty-first Annual Convention, Houston, TX, August 30 - September 2, 1971; Fifty-second Annual Convention, Chicago, IL, August 21-24, 1972; Fifty-third Annual Convention, Honolulu, HI, August 19-23, 1973; Fifty-fourth Annual Convention, Hollywood, FL, August 19-22, 1974; Fifty-fifth Annual Convention, Minneapolis, MN, August 18-21, 1975; Fifty-sixth Annual Convention, Seattle, WA, August 23-26, 1976; Fifty-seventh Annual Convention, Denver, CO, August 22-25, 1977; Fifty-eighth Annual Convention, New Orleans, LA, August 21-24, 1978; Fifty-ninth Annual Convention, Houston, TX, August 20-23, 1979; Sixtieth Annual Convention, Boston, MA, August 18-21, 1980; Sixty-first Annual Convention, Honolulu, HI, August 30 - September 2, 1981; Sixty-second Annual Convention, Chicago, IL, August 23-26, 1982; Sixty-third Annual Convention, Seattle, WA, August 22-25, 1983; Sixty-fourth Annual Convention, Salt Lake City, UT, September 2-5, 1984; Sixty-sixth Annual Convention, Cincinnati, OH, September 1-4, 1986; Sixty-seventh Annual Convention, San Antonio, TX, August 24-27, 1987; Sixty-eighth Annual Convention, Louisville, KY, September 5-8, 1988; Seventieth Annual Convention, Indianapolis, IN, August 27-30, 1990; Seventy-first Annual Convention, Phoenix, AZ, September 2-5, 1991; Seventy-second Annual Convention, Chicago, IL, August 24-27, 1992; Seventy-third Annual Convention, Pittsburgh, PA, September 6-9, 1993; Seventy-fifth Annual Convention, Indianapolis, IN, September 2-6, 1995; Seventy-sixth Annual Convention, Salt Lake City, UT, September 2-5, 1996; Seventy-seventh Annual Convention, Orlando, FL, September 1-4, 1997; Seventy-eighth Annual Convention, New Orleans, LA, September 5-10, 1998; Seventy-ninth Annual Convention, Anaheim, CA, September 4-8, 1999; Eighty-second Annual Convention, Charlotte, NC, August 23-29, 2002; Eighty-fourth Annual Convention, Nashville, TN, August 28 -

September 2, 2004; Eighty-fifth Annual Convention, Honolulu, HI, August 19-25, 2005; Eighty-sixth Annual Convention, Salt Lake City, UT August 26-31, 2006; Eighty-seventh Annual Convention Reno, NV, August 20-30, 2007; Eighty-eighth Annual Convention, Phoenix, AZ, August 23-28, 2008; Eighty-ninth Annual Convention, Louisville, KY, August 24-27, 2009, Ninetieth Annual Convention, Milwaukee, WI, August 27 - September 2, 2010; Ninety-first Annual Convention, Minneapolis, MN, August 26 - September 1, 2011; Ninety-second Annual Convention, Indianapolis, IN, August 24-30, 2012; Ninety-third Annual Convention, Houston, TX, August 22-29, 2013, and Ninety-ninth Annual Convention, Indianapolis, IN, August 24-29, 2019.

# **CONSTITUTION OF THE AMERICAN LEGION AUXILIARY**

## **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 all 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 goodwill on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy; to participate in and contribute to the accomplishment of the aims and purposes of The American Legion; to consecrate and sanctify our association by our devotion to mutual helpfulness.

## **ARTICLE I**

### **Name**

*Section 1.* The name of this organization shall be the American Legion Auxiliary.

*Section 2.* The National Headquarters of the American Legion Auxiliary shall be in the same city or metropolitan area as The American Legion National Headquarters.

## **ARTICLE II**

### **Nature**

*Section 1.* The American Legion Auxiliary is a civilian patriotic service organization that supports the mission of The American Legion.

*Section 2.* The American Legion Auxiliary shall be absolutely nonpolitical and shall not be used for the dissemination of partisan principles nor for any promotion of the candidacy of any person seeking public office or preferment.

## ARTICLE III

### Eligibility

*Section 1.* Eligibility for membership in the American Legion Auxiliary is determined by The American Legion. The eligibility requirements from The American Legion governing documents shall be provided as a footnote to this Constitution for information purposes and shall be updated as appropriate.<sup>1</sup>

*Section 2.* There shall be two (2) classes of membership, Senior and Junior.

- (a) Senior membership shall be comprised of members age eighteen (18) and older; provided, however, a member eligible under Section 1 of this article and who is under the age of eighteen (18) years and married shall be classified as a Senior member.
- (b) Junior membership shall be comprised of members under the age of eighteen (18) years, whose activities shall be supervised by the Senior membership. Upon reaching the age of eighteen years, Junior members shall automatically be admitted into Senior membership with full privileges.
- (c) Dues of both classes shall be paid annually or for life.

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<sup>1</sup> Membership in the American Legion Auxiliary shall be limited to the:

- (1) Grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of members of The American Legion; and
- (2) grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of all men and women who served in either of the following periods: April 6, 1917, to November 11, 1918 and any time after December 7, 1941 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 either eligibility periods and died in the line of duty or after honorable discharge;
- (3) grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of all men and women who were in the Armed Forces of the United States during either of the following periods: April 6, 1917, to November 11, 1918; and any time after December 7, 1941 who served on active duty in the Armed Forces of the United States during either eligibility periods and died in the line of duty or after honorable discharge; and
- (4) to those women who of their own right are eligible for membership in The American Legion.



## **ARTICLE IV**

### **National Officers**

*Section 1.* The National Organization shall have the following national officers: National President, National Vice President, five (5) National Division Vice Presidents, National Secretary, National Treasurer, National Chaplain, and National Historian.

*Section 2.* The National Convention shall elect the following term-limited national officers: National President, National Vice President, National Division Vice Presidents, National Chaplain, and National Historian. Each National Division Vice President shall serve without seniority. Such officers shall serve for one (1) term or until their successors are elected; a term shall start upon adjournment of the convention at which they are elected and end at the adjournment of the following National Convention.

*Section 3.* In the event of a vacancy in the office of the President, the National Vice President shall become President and shall assume the duties and authority of the office. Vacancies occurring between National Conventions in these offices other than National President shall be filled by election by the National Executive Committee, and any member of the American Legion Auxiliary, in good standing, shall be eligible for election to such vacancy, provided, however, that no Past National President, or Past National Vice President shall be elected to fill any vacancy in these respective offices.

*Section 4.* The National Secretary and National Treasurer may serve an unlimited number of terms and shall be confirmed annually by the National Executive Committee.

*Section 5.* All questions affecting the eligibility, election, and conduct of a national officer shall be referred to the National Executive Committee where a decision by a two-thirds vote in said committee shall be the final authority thereon.

## **ARTICLE V**

### **National Executive Committee**

*Section 1.* Between National Conventions, the National Executive Committee shall serve as the governing body of the organization with fiduciary, policy, and strategic responsibility for the organization.

*Section 2.* The National Executive Committee shall be comprised of the National President, National Vice President, the five (5) National Division Vice Presidents, National Chaplain, National Historian, and one (1) National Executive Committee person or alternate from each Department, to be elected as such Department shall determine. Alternates shall serve only in the absence of the National Executive Committee person.

The National Secretary and National Treasurer shall be members of the National Executive Committee, and, when the positions are held by employees of National Headquarters, the National Secretary and National Treasurer shall serve with all rights except the right to vote.

All Past National Presidents in good standing in their Units shall be members for life of the National Executive Committee, with all rights except the right to vote.

*Section 3.* The National President and National Vice President shall serve as Chairman and Vice Chairman of the National Executive Committee respectively.

*Section 4.* The term of office of a National Executive Committee person shall commence immediately following the adjournment of the National Convention next ensuing, and shall end at the adjournment of the next succeeding National Convention. The Alternate National Executive Committee person shall serve only in the absence of the National Executive Committee person.

## **ARTICLE VI**

### **National Convention**

*Section 1.* The American Legion Auxiliary National Convention shall be held annually at the same time and place as the convention of The American Legion for the purpose of electing officers, receiving reports, and transacting such other business as shall properly come before it.

*Section 2.* Representation in the National Convention shall be by Departments. Each Department shall be entitled to delegates based upon the number of members whose dues are paid up-to-date as provided in the Standing Rules. Changes to the formula for delegate voting strength and the manner for casting votes may be determined only by a two-thirds vote of the National Convention delegates.

*Section 3.* The National President and National Vice President shall be delegates-at-large to the National Convention, with vote to be exercised with their Departments, and shall serve as National Convention Chairman and Vice Chairman respectively.

*Section 4.* The five (5) National Division Vice Presidents, the National Chaplain, and the National Historian shall be delegates-at-large to the National Convention, with vote to be exercised with their Departments.

*Section 5.* Past National Presidents in good standing in their Units shall be life delegates-at-large to the National Convention, with vote to be exercised with their Departments.

*Section 6.* Members of the National Executive Committee shall be delegates-at-large to the National Convention, with vote to be exercised with their Departments.

*Section 7.* Each delegate shall be entitled to one vote. The vote of any delegate absent and not represented by an alternate may be cast by the majority of the delegates present from the delegate's Department. The manner for casting votes shall be as provided in the National Convention Standing Rules.

*Section 8.* A quorum shall exist at a National Convention when sixty (60) percent of the Departments are represented by having paid their National Convention registration fees.

*Section 9.* Additional information regarding National Convention delegates shall be as provided in the Standing Rules.

## **ARTICLE VII**

### **Amendments**

*Section 1.* This Constitution may be amended at any National Convention by a two-thirds vote of the National Convention delegates, provided the proposed amendments shall have been submitted through the National Secretary to the Departments and members of the National Executive Committee by distributing same to them at least twenty (20) days prior to the convening of the next National Convention; and provided further that all proposed amendments shall be read at a regular meeting of the National Convention. Departments shall be responsible for distributing the proposed amendments to their delegates to the National Convention.

*Section 2.* Amendments proposed after distribution, as shown in Section 1 hereof, may be adopted by a two-thirds vote of the National Convention delegates, provided they have been read at one session of the National Convention prior to taking the vote.

*Section 3.* An amendment not having been previously read or distributed as required in Section 1 hereof may be adopted by the unanimous vote of the National Convention delegates.

# **BYLAWS**

## **OF THE**

# **AMERICAN LEGION AUXILIARY**

### **ARTICLE I**

#### **Organization**

*Section 1.* The American Legion Auxiliary shall be organized into Divisions and Departments, and the Departments in turn into Units.

*Section 2.* Each Division shall be composed of at least seven (7) Departments.

*Section 3.* There shall be one (1) Department in each state and in the District of Columbia, and there may be one (1) Department in each territory of the United States. The National Executive Committee may establish Departments or Units in the insular and other possessions of the United States and may also establish Units in foreign countries.

*Section 4.* Departments shall have authority to create and charter intermediate bodies between the Units and Department to act as a liaison between such organizations and for the purpose of promoting the programs of the American Legion Auxiliary.

*Section 5.* The Department Executive Committee shall define the authority of such intermediate groups, but in no event shall such authority invade the prerogatives now vested either in the Unit or Department or National Organization.

*Section 6.* Such intermediate bodies now existing within the Departments and heretofore authorized or recognized by such Department are hereby officially recognized to the extent of the authority granted herein.

*Section 7.* A Unit in the territorial or insular possessions of the United States or in a foreign country, which does not have Department status, may have the status of a foreign Unit not attached to any specific Department of the American Legion Auxiliary. Any such Unit which requests affiliation with a Department shall be assigned to the same Department as its American Legion Post, if accepted by the Department. If there is no Department of the American Legion Auxiliary, the National Executive Committee shall assign said Unit to a Department.

## **ARTICLE II**

### **Election of Officers**

*Section 1.* The election of the following officers shall be by secret ballot: National President, National Vice President, five (5) National Division Vice Presidents, National Chaplain, and National Historian. A majority of the votes cast shall be necessary to elect. When there is but one (1) candidate for an office, the nominee may be elected by voice vote.

*Section 2.* There shall be a National Secretary and National Treasurer to be nominated by the National President and confirmed by the National Executive Committee at the Post-Convention National Executive Committee Meeting.

*Section 3.* The five (5) National Division Vice Presidents shall be nominated in their respective Division Caucuses.

*Section 4.* All National Officers, members of the National Executive Committee and members of all National Committees shall be in good standing in their Units.

*Section 5.* No person shall be eligible for reelection to the office of National President, National Vice President, National Division Vice President, National Chaplain, or National Historian.

## **ARTICLE III**

### **Duties of Officers**

*Section 1.* National President: It shall be the duty of the National President to preside at all sessions of the National Convention and meetings of the National Executive Committee; to appoint or hire a parliamentarian(s); to appoint members of national standing and national committees; to appoint other committees as the National President deems advisable to further the mission of the organization; and to appoint officials not otherwise provided for in these Bylaws, all subject to confirmation by the National Executive Committee. The National President shall serve as an ex-officio member of all committees, and shall perform other duties as are usually incident to the office.

*Section 2.* In the event the National President becomes incapacitated or is otherwise unable to discharge the duties of the National President, the National Executive Committee may declare the position vacant.

In the event there is a vacancy in the office of the National President, the National Vice President shall become President and shall assume the duties and authority of the office. In the event the National Vice President has assumed the office of National President for a period of less than six (6) months, said person may run for a succeeding full term as National President.

*Section 3. National Vice President:* It shall be the duty of the National Vice President to be the presiding officer at a meeting of the organization in the absence of the National President.

The National Vice President shall assume such other duties as assigned by the National President.

In the event the National Vice President thus assumes the office of National President, the National Executive Committee shall fill the office of National Vice President. If this term is less than six (6) months, the person so named is eligible to election by regular process to the office of National Vice President.

*Section 4.* In the absence of both the National President and the National Vice President, a chairman pro tempore shall be elected by the National Executive Committee.

*Section 5. National Secretary:* It shall be the duty of the National Secretary to record proceedings of the National Executive Committee meetings and the National Organization in convention assembled, to keep all records of the National Organization, and to perform other duties as assigned. It is the specific responsibility of the National Secretary as a corporate officer to maintain constant and continuous control of all trademarks, trade names, patents and copyrights of the American Legion Auxiliary, including, but not limited to, on the recommendation of Counsel General, the hiring and engagement of competent outside legal counsel and others as needed to protect the trade names and trademarks.

*Section 6. National Treasurer:* It shall be the duty of the National Treasurer to serve as custodian of the funds of the National Organization, to account for the same, to sign all checks in dispersing the funds of the organization; and shall perform other duties as assigned. In the absence of or in addition to the National Treasurer, the National Secretary shall be authorized to sign checks according to policy.

*Section 7. National Division Vice Presidents:* It shall be the duty of the National Division Vice Presidents to act as representatives of the

National President on all matters referred to them by the National President, and to be advisory heads of their respective National Divisions, and to perform other duties as assigned by the National President.

*Section 8. National Chaplain:* It shall be the duty of the National Chaplain to offer prayer and to perform such divine and nonsectarian services as may be necessary, adhering to such ceremonial rituals as may be recommended by the National President or the National Executive Committee, and shall perform other duties as assigned.

*Section 9. National Historian:* It shall be the duty of the National Historian to complete a historical record of the current administrative year, and to maintain and update the historical records of the National Organization through the process provided in the Standing Rules, and shall perform other duties as assigned.

## **ARTICLE IV**

### **National Executive Committee**

*Section 1. Role:* The National Executive Committee shall serve as the governing body of the organization with fiduciary, policy, and strategic responsibility for the organization between National Conventions. It shall be the duty of the National Executive Committee, as corporate directors for the American Legion Auxiliary, to ensure that the organization has adequate resources to fulfill its mission. The National Executive Committee is responsible for the organization's adherence to legal standards and ethical norms.

*Section 2. Authority:* The National Executive Committee shall adopt the annual budget for the National Organization; adopt policies and standing rules, unless otherwise noted in the National Constitution or these Bylaws; review financial statements and accept the national annual audit; ratify committees; confirm the nomination of the National Secretary and the National Treasurer, confirm committee and other national appointments, and confirm the appointment of officials not otherwise provided for in these Bylaws; levy assessments as needed; ratify the cancellation of charters; receive for filing reports from national subsidiary organizations; and other duties and responsibilities that are the normal function of a corporate board of directors.

Any intermediate governing body established by National Convention action shall be subordinate to the National Executive



Committee and shall report to, be accountable to, and its actions ratified by the National Executive Committee.

All questions affecting the election, eligibility, conduct, and capacity of National Officers shall be referred to and determined by the National Executive Committee. The National Executive Committee shall be responsible for establishing the process and procedure for making the determination that a National Officer or a national committee member serving a single-year or multiple-year term is incompetent, incapacitated, or otherwise unable to discharge the duties of the national office.

All questions affecting the election, eligibility, conduct, and capacity of the National Executive Committee person from any Department, or of the Department Officers or members of Department Executive Committees, shall be referred to and determined by the Executive Committee or governing board of the Department involved, which shall be the final authority thereon. The rules governing the fulfillment of this section shall be as provided in the Standing Rules.

*Section 3. Duty:* It shall be the duty of each National Executive Committee person to fulfill the responsibilities of the National Executive Committee, and to articulate the organization's mission, goals and accomplishments to the public and to the Committee person's Department.

*Section 4. Meetings:* The National Executive Committee shall meet as provided in the Standing Rules. Special meetings may be held upon reasonable notice at the call of the National President. The National President shall call a meeting of the National Executive Committee upon written request of not less than fifteen (15) members.

*Section 5. Quorum:* A majority of the voting National Executive Committee members shall constitute a quorum of the National Executive Committee.

## **ARTICLE V**

### **Committees**

*Section 1.* Pursuant to the Article on Duties of Officers, the National President may appoint committees as the National President deems advisable to further the mission of the organization, subject to ratification by the National Executive Committee. When a vacancy occurs on a committee, the National President shall appoint a member to serve the remainder of the unexpired term, all subject to confirmation by the National Executive Committee.

*Section 2.* There shall be the following core National Standing Committees: Veterans Affairs and Rehabilitation, Children and Youth, Americanism, National Security, Membership, Constitution & Bylaws, Finance, Audit, and such other mission and member/organizational support committees as may be provided in the Standing Rules.

*Section 3.* The composition, terms, and purpose of the National Standing Committees and National Committees shall be as provided in the Standing Rules. Amendments to the composition, terms, or purpose of such national committees may be determined only by a two-thirds vote of the National Convention delegates.

## **ARTICLE VI**

### **Subsidiary Organizations**

*Section 1.* A separately incorporated American Legion Auxiliary subsidiary organization shall conform and comply with all legal and organizational requirements of the National Organization to ensure that the required constant and continuous control of all trademarks and trade name law is satisfied.

All subsidiary organizations of the American Legion Auxiliary shall be subject to regulation by the United States trademark laws and by action of the American Legion Auxiliary National Convention or the American Legion Auxiliary National Executive Committee. At a minimum, each subsidiary organization must comply with the regulations provided in the Standing Rules.

## **ARTICLE VII**

### **Department Organization**

*Section 1.* Departments shall be chartered by the National Executive Committee and shall be comprised of the Units within their respective areas. A minimum of five hundred (500) adult members shall be required to issue a Department charter. Each Department charter shall be signed by the National President and the National Secretary.

*Section 2.* Each Department shall have the following department officers: Department President, Department Vice President(s), Department Secretary, Department Treasurer (or Department Secretary-Treasurer), National Executive Committee person, an Alternate National Executive Committee person, and may have a chaplain, historian, and such other officers as the governing documents of the Department may prescribe.

*Section 3.* Departments shall have authority to create intermediate bodies between the Units and Department to act as a liaison between such organizations and for the purpose of promoting the programs of the American Legion Auxiliary. An intermediate body shall be administratively subject to the Department and totally under Department jurisdiction. Each Department shall have a Department governing board, hereafter referred to in these national governing documents as the Department Executive Committee. Department Executive Committees shall have the authority to set forth responsibilities and limits of all intermediate bodies. In no event shall these responsibilities established by the Department Executive Committee usurp the prerogatives of the National Organization, Departments, and Units.

*Section 4.* All persons handling funds of the Department shall be bonded by a reputable, solvent bonding and surety company; or shall be covered by fidelity-crime insurance in an adequate amount as determined by the Department Audit Committee, Department Finance Committee, and/or Department Executive Committee.

## **ARTICLE VIII**

### **Unit Organization**

*Section 1.* Those who desire to form a Unit shall apply to the Post to which it will attach and the Department in which it resides as provided in the Standing Rules. Upon receipt of a properly executed charter application from the Department, the Unit charter shall be signed by the National President and National Secretary.

*Section 2.* The minimum membership of a Unit shall be ten (10) Senior members, with the exception of a Department Headquarters Unit that shall have no minimum membership requirement.

*Section 3.* A Unit shall be given the name, location, and number of The American Legion Post to which it is attached.

*Section 4.* The qualifications and process for establishing and existing as a Unit in good standing shall be as provided in the Standing Rules.

*Section 5.* Each Unit of The American Legion Auxiliary shall be responsible for verifying eligibility and deciding its membership, subject to the restrictions of the national governing documents. No person who is a member of an organization which has for its aim the overthrow of the

United States Government or who subscribes to the principles of any group opposed to the United States' form of government shall be eligible to become or remain a member of the American Legion Auxiliary.

*Section 6.* All persons handling funds of the Unit shall be bonded by a reputable, solvent bonding and surety company; or shall be covered by fidelity/crime insurance in an adequate amount as determined by the Unit.

## **ARTICLE IX**

### **Finance**

*Section 1.* The revenue of the American Legion Auxiliary shall be derived from annual membership dues in a per capita amount established by the National Convention delegates, and from such other sources as may be approved by the National Executive Committee. Modification to the National per capita dues for members shall require a two-thirds vote in the affirmative by the National Convention delegates. Dues shall be payable in amounts as provided in the Standing Rules. A member's status is dependent upon timely payment of dues as provided in the Standing Rules.

*Section 2.* The fiduciary responsibility of the National Executive Committee shall include adoption of the National Organization's budget, and review and acceptance of financial reports and the annual audit.

*Section 3.* The National Organization shall ensure that all persons handling funds of the National Organization shall be bonded by a reputable, solvent bonding and surety company, or shall be covered by fidelity/crime insurance in an adequate amount approved by the National Secretary and National Treasurer, and reported to the National Audit Committee.

*Section 4.* With the exception of the National President, National Vice President, National Secretary and National Treasurer, there shall be no salaried officers. Necessary expenses incurred by national officers, National Executive Committee persons and chairmen of national committees in the exercise of their duties to the American Legion Auxiliary may be paid from the national treasury when authorized by the national budget or authorized by the National President and approved by the National Executive Committee.

# **ARTICLE X**

## **Suspension, Cancellation and**

*Section 1.* All charters granted by the American Legion Auxiliary are hereby ratified and confirmed.

### **Department Charters**

*Section 1.* The process for the suspension, cancellation, and revocation of a Department charter shall be as provided in the Standing Rules.

*Section 2.* Upon suspension of an American Legion Auxiliary Department charter, the National Executive Committee is authorized, empowered and directed, by and through its duly authorized agents, to take possession, custody and control of all records, assets, property, and belongings of the Department, and to provide for the governance and administration of the Department during said suspension.

*Section 3.* Upon cancellation or revocation of an American Legion Auxiliary Department charter, the National Executive Committee is authorized, empowered and directed, by and through its duly authorized agents, to take possession, custody and control of all records, assets, property, and belongings of the Department, and to take all necessary and proper steps and proceedings to wind up and close the affairs of the Department. The National Executive Committee may provide for continued recognition and activities of Units in said Department as it may deem proper.

*Section 4.* With regard to suspensions, cancellations, and revocations of Department charters, in no event shall the National Organization be required to assume any financial obligation with regard to records, assets, property, and belongings.

### **Unit Charters**

*Section 1.* The Department Executive Committee may suspend, cancel, or revoke Unit charters for good cause to it appearing.

*Section 2.* Any Unit that a) fails to meet the obligations imposed upon it by the governing documents, policies, or requirements of the National Organization or Department, or b) ceases to function as an American Legion Auxiliary Unit from one Department Convention to the next, shall surrender its charter at the direction of the Department President. When a Unit so directed to surrender its charter fails to do

so, the Department Executive Committee may take immediate steps to revoke the charter.

*Section 3.* An American Legion Auxiliary Unit whose charter has been suspended, cancelled, or revoked by the Department may appeal the decision of the Department Executive Committee to the National Executive Committee, as provided in the Standing Rules.

*Section 4.* Upon suspension of an American Legion Auxiliary Unit charter, the Department Executive Committee is authorized, empowered and directed, by and through its duly authorized agents, to take possession, custody and control of all records, assets, property, and belongings of the Unit and to provide for the governance and administration of the Unit during said suspension.

*Section 5.* With regard to suspensions, cancellations, and revocations of Unit charters, in no event shall the Department organization be required to assume any financial obligation with regard to records, assets, property, and belongings.

*Section 6.* Cancellation of a Unit charter shall be in order when two (2) or more Units merge, when a Unit ceases to function, or under such other conditions as might make such action necessary within a Department. In the event a Unit charter is canceled or revoked without the consent of such Unit, it shall have the right of appeal to the National Executive Committee as provided in the Standing Rules.

*Section 7.* The National Executive Committee may prescribe rules of procedures to be followed in the revocation, suspension or cancellation of Unit charters, with full power from time to time to revise or amend such rules, provided, however, that until such rules have been adopted, the procedure currently in existence shall be applicable. All rules and procedures shall be in accordance with the principles of due process of law.

## **ARTICLE XI**

### **Parliamentary Authority**

*Section 1.* The rules contained in the current edition of *Robert's Rules of Order, Newly Revised* shall govern this organization in all cases in which they are applicable and in which they are not inconsistent with applicable state statutes and the American Legion Auxiliary National Constitution and Bylaws, Standing and Special Rules.

## **ARTICLE XII**

### **Amendments**

*Section 1.* The Bylaws may be amended at any National Convention by a two-thirds vote of the National Convention delegates, provided the proposed amendments shall have been submitted through the National Secretary to the Departments and members of the National Executive Committee by distributing same to them at least twenty (20) days prior to the convening of the next National Convention; and provided further that all proposed amendments shall be read at a regular meeting of the National Convention except when National Convention delegates will have approved suspending the reading of a specific proposal. Departments shall be responsible for distributing the proposed amendments to their delegates to the National Convention.

*Section 2.* Amendments proposed after distribution by the National Secretary may be adopted by a two-thirds vote of the National Convention delegates, provided they have been read at one meeting of the session prior to taking the vote.

*Section 3.* An amendment not having been previously read or distributed may be adopted by the unanimous vote of the National Convention delegates.

## **ARTICLE XIII**

### **Authority**

The authority under which all Departments, Units, subsidiaries, intermediate bodies, and affiliated entities of the American Legion Auxiliary shall function is vested in this National Constitution & Bylaws and such Standing Rules as have been duly adopted. Any provision of any Department or Unit Constitution or Bylaws, any subsidiary, intermediate body, or affiliated entity's bylaws, or any regulation of any Department, Unit, subsidiary, intermediate body, or affiliated entity in conflict with the foregoing authority shall be void.

# **STANDING RULES OF THE AMERICAN LEGION AUXILIARY**

## **PREFACE**

These American Legion Auxiliary Standing Rules are duly adopted by the appropriate national governing body of the American Legion Auxiliary to provide guidance to the American Legion Auxiliary, its Departments, Units, subsidiaries, and affiliated entities. Standing Rules have the same importance as the National Constitution & Bylaws and may be amended as frequently as needed.

Certain Standing Rules can only be amended or rescinded by action of the National Convention delegates, as specified therein. Standing Rules that specifically state “As provided in the National Bylaws” can only be amended by action of the National Convention delegates.

Except when otherwise specified in the Bylaws or these Standing Rules, a standing rule may be amended or rescinded by a two-thirds vote of the National Executive Committee, or, if notice has been given, by a majority vote. In addition to these Standing Rules, supplementary national policies or rules may be adopted as they are needed from time to time by the National Executive Committee or National Convention.

## **AMERICAN LEGION AUXILIARY CODE OF ETHICS**

American Legion Auxiliary members are expected to comply with the organization’s governing documents and comport themselves according to the following Code of Ethics adopted by the National Executive Committee.

This Code of Ethics serves as a guide for conduct acceptable within the American Legion Auxiliary and the American Legion Auxiliary Foundation.

As a matter of fundamental principle, the American Legion Auxiliary and American Legion Auxiliary Foundation will adhere to the highest ethical standards to earn and protect the public’s trust in our



performance to carry out the Auxiliary's mission, uphold rigorous standards of conduct, and be good stewards of our resources.

The American Legion Auxiliary and American Legion Auxiliary Foundation, as witnessed through the conduct of its national governing body, officers, staff, and volunteers, must earn the public's trust every day and in every possible way. National leaders are expected to abide by all laws and demonstrate their ongoing commitment to the core values of integrity, honesty, fairness, openness, responsibility and respect.

The ALA Code of Ethics applies to the ALA as an entity and serves as a guide for conduct acceptable within the American Legion Auxiliary. As stated elsewhere in the ALA national governing documents, units and departments have responsibility for member discipline.

## **CODE OF ETHICS**

The American Legion Auxiliary strongly recommends that all chartered entities and affiliated organizations at all levels adopt a Code of Ethics and conduct themselves accordingly.

In keeping with the best practices of high performing nonprofit organizations, it is the expectation of the American Legion Auxiliary and the American Legion Auxiliary Foundation that its national business standards, operations, and conduct conform to the following Code of Ethics:

### **Personal and Professional Integrity**

All members, volunteers, and staff of the American Legion Auxiliary and its Foundation act with honesty, integrity, and openness in all their communication, business, and transactions as representatives of the American Legion Auxiliary (organization). The organization promotes an environment that values fairness and commitment to the organization's founding principles and demonstrates respect for others.

National officers, board members, staff, and volunteers shall conduct their personal and professional lives in a manner befitting the organization's mission and values, recognizing that their actions reflect upon the creditability and reputation of the American Legion Auxiliary and American Legion Auxiliary Foundation.

National officers, board members, staff, and volunteers shall work to positively influence their environment to build respect, creditability, and strategic importance of our organization to the public, our members, and the communities we serve.

## **Legal Compliance**

The American Legion Auxiliary and American Legion Auxiliary Foundation are knowledgeable of and comply with all applicable federal, state and local laws and regulations, including but not limited to: complying with laws and regulations related to human resources, financial accountability, taxation, fundraising, trademark protection, and licensing.

National officers, board members, staff, and volunteers shall exercise due diligence in obtaining information on applicable laws and regulations for their jurisdiction.

National officers, board members, staff, and volunteers shall recognize that compliance with applicable laws is a paramount standard.

## **Governance**

The American Legion Auxiliary's national governing body (National Executive Committee) is responsible for setting the strategic direction of the organization and oversight of the finances, operations, policies and programmatic performance.

The governing bodies of both the American Legion Auxiliary and American Legion Auxiliary Foundation shall:

- Ensure that the organization conducts all communication, business, and transactions with integrity and honesty;
- Ensure that policies of the organization are in writing, clearly articulated, and officially adopted;
- Ensure periodic review of the organization's structure, procedures and programs to determine what is working well and what practices the organization might want to change in order to be more efficient, effective or responsible.
- Ensure that the resources of the organization are responsibly and prudently managed;
- Ensure that the organization has the capacity to carry out its programs effectively.

## **Responsible Stewardship**

The boards, officers, staff, and volunteers of the Auxiliary and its Foundation are responsible for managing and preserving the organization's assets. Officers, board members, staff, and volunteers are expected to understand their fiduciary responsibilities so that the charitable purposes of the organization are carried out and assets are properly safeguarded and managed.

Officers, board members, appropriate volunteer leaders and staff shall ensure that:

- Financial reports are created and maintained on a timely basis that accurately portray its financial status and activities.
- Internal financial statements are provided accurately and timely.
- Annual financial reports are made available to the public.
- Employees, national leaders, and members are provided a confidential means to report suspected financial impropriety or misuse of its resource.
- Written financial policies governing management and investment of assets and reserve accounts, internal control procedures, and purchasing practices are developed and implemented.

## **Openness and Disclosure**

The American Legion Auxiliary and American Legion Auxiliary Foundation will provide comprehensive and timely information to the public, the media, and its members, and is responsive to reasonable requests for information. All information about the organizations will fully and honestly reflect the policies and the practices of the organizations.

## **Conflict of Interest**

The organization has the right to expect that the decisions made by the national boards, officers, staff, and volunteers of the Auxiliary and its Foundation are made objectively and in the best interest of the organization.

To avoid the appearance of impropriety by those who could benefit directly or indirectly from any action by the Auxiliary and its

Foundation, the organization shall develop, adopt and implement a conflict of interest policy.

Such policy shall include requirements to fully disclose all potential and actual conflicts of interest and prohibitions on activities that conflict with legal, ethical, and fiduciary obligations to the organization.

## **Fundraising**

The organization shall take care to ensure that all means and materials for solicitation accurately and correctly reflect its mission and use of solicited funds. The American Legion Auxiliary and its Foundation shall respect the privacy concerns of individual donors and expend funds consistent with donor intent.

To assure that donors and prospective donors can have full confidence in the organization and the causes they are asked to support, the Auxiliary and its Foundation will respect the following rights of donors:

- To be informed of the organization's mission, of the way the organization intends to use donated resources, and of its capacity to use donations effectively for their intended purposes.
- To be informed of the identity of those serving on the organization's governing board, and to expect the board to exercise prudent judgment in its stewardship responsibilities.
- To have access to the organization's most recent financial statement and others on request.
- To be assured their gifts will be used for the purposes for which they were given.
- To receive appropriate acknowledgement and recognition.
- To be assured that information about their donation is handled with respect and with confidentiality to the extent provided by law.
- To expect that all relationships with individuals representing the American Legion Auxiliary and its Foundation will be professional in nature.
- To be informed whether those seeking donations are volunteers, employees of the organization or hired solicitors.
- To feel free to ask questions when making a donation and to receive prompt, truthful and forthright answers.

## **Grant Making**

The American Legion Auxiliary and its Foundation shall have specific stated responsibilities in carrying out grant programs. These responsibilities include the following:

- A formal and consistent application process which includes defined eligibility.
- Fair and equitable selection criteria.
- Assurance of applicant privacy.
- Clear, timely and respectful communications throughout the application process.

## **Inclusiveness and Diversity**

The organization recognizes the value of the diverse backgrounds and beliefs of its membership. The organization promotes an atmosphere of mutual respect for the worth and dignity of its members, those eligible to become members, and those we serve.

## **Ethics Violations**

Any member may report a violation of ethical conduct or actions contrary to the governing doctrine without fear of retaliation.

The organization considers all inquiries and complaints about actions of members to be strictly confidential.

Ethics Query – An ethics query is a means for inquiring whether or not a practice warrants filing a complaint alleging a violation of the Code. Anyone may register a query of a possible violation of the Code of Ethics by a member.

The organization shall adopt a procedure to administer the ethics query process.

Ethics Complaint – An ethics complaint provides a process for receiving, investigating and acting on a violation of the Code of Ethics made against any member or staff and provides a process that is fair, responsible, confidential and consistent.

The organization shall adopt a procedure to administer the complaint process.

## **Whistleblower Protection**

A whistleblower is any member who, in good faith, promptly reports instances of any suspected violation of the Code of Ethics. The American Legion Auxiliary and American Legion Auxiliary Foundation shall establish and abide by policies to protect the Auxiliary.

Any member who acts maliciously by making known information the member knows or reasonably believes to be false is not a whistleblower and will not be protected under the whistleblower mechanism.

The organization expects improper activity to be reported accurately and will protect whistleblowers from retaliation.

The organization will investigate any allegation that a whistleblower has been retaliated against for disclosing information that the whistleblower believed to have been accurate. Any member who believes they have been retaliated against for whistle blowing is expected to report it immediately. If the complaint is validated, the organization can impose disciplinary sanctions against the retaliating member including termination of membership in the organization.

## **THE STANDING RULES OF THE AMERICAN LEGION AUXILIARY ARE:**

### **I. NATIONAL ORGANIZATION:**

1. The American Legion designated the birth date of the American Legion Auxiliary as November 10, 1919.
2. The American Legion Auxiliary shall coordinate with The American Legion on all similar governance and program matters, and conduct itself at all times in a manner that ensures harmony.
3. The National Judge Advocate of The American Legion shall be the Counsel General of the American Legion Auxiliary on all legal matters and matters pertaining to the National Constitution & Bylaws and Standing Rules and shall perform such other duties as are usually incident to the office.

All requests for information from and opinions by the Counsel General MUST come through the Department Secretary or Department President to the National Secretary, and thence referred to the Counsel General for his ruling, and said ruling will be sent by the National Secretary to the Department Officer.

4. The candidate(s) for National President, in consultation with National Headquarters staff, shall plan membership engagement, retention, and recruitment programs consistent with the goals of The American Legion. The plans shall be presented to the Departments no later than June 1 of the same year.

### **II. NATIONAL CONVENTION:**

1. The date and place of the National Convention of the American Legion Auxiliary shall conform to that of The American Legion.
2. Representation in the National Convention shall be by Departments. Each Department shall be entitled to five (5) delegates; and one (1) additional delegate for each fifteen hundred (1,500) members or major fraction thereof, whose current dues have been received by the National Treasurer via National Headquarters thirty (30) days prior to the meeting of said National Convention, and to one (1) alternate for each delegate. The delegates and alternates shall be selected not

less than two (2) weeks before the National Convention at Department Conventions or in any manner specified by any Department Constitution; provided that the Department hosting the National Convention shall be privileged to hold its Department Convention and select its delegates at the time and place designated by its Department of The American Legion. In addition to the above, the National President, National Vice President, the National Division Vice Presidents, National Chaplain, National Historian, members of the National Executive Committee, and Past National Presidents in good standing with their respective Units shall be delegates-at-large with vote to be exercised with their respective Departments, except for the National President who shall vote as chairman of the National Convention.

The vote of any delegate absent and not represented by an alternate may be cast by the majority of the delegates present from the absent delegate's Department.

As provided in the National Constitution, amendments to the National Convention delegate voting strength and the manner for casting votes shall be by action of the National Convention delegates.

3. As provided in the National Constitution, the National President shall be the Chairman of the National Convention. The National Vice President shall be the Vice Chairman of the National Convention; and in compliance with Constitutional requirements, may act in the place of the National President; the National Secretary shall be the Secretary of the National Convention, with the authority to appoint assistant secretaries with the approval of the National President.
4. The officers who are present at the National Convention and the chairmen of the special and standing committees required to report at the National Convention shall be permitted to sit with the National Convention body.
5. The general duties of the following named National Convention committees shall be to consider matters assigned to such committees, to consider matters specifically referred to them by the National Convention, and to conduct other business as described in this section.



- a) There shall be the following special National Convention committees:
- 1) Committee on Credentials: The purpose of the Committee on Credentials is to receive and verify the credentials of the Departments and to handle all matters pertaining to the contestation of delegates.
  - 2) Committee on Rules: The purpose of the Committee on Rules is to propose the rules under which the National Convention shall operate. The Rules shall provide for the orderly organization and operation of the National Convention. The National Convention Standing Rules shall be adopted by a majority vote of the National Convention delegates with continuing power of revision.
  - 3) Committee on Resolutions: The purpose of the Committee on Resolutions is to receive resolutions and refer them to the proper Pre-Convention Committees, and to formulate such National Convention resolutions not within the jurisdiction of the other established Pre-Convention Committees as listed in this section. This committee shall meet in advance of the other Pre-Convention Committee meetings to allow ample time to properly assign the resolutions to the other Pre-Convention Committees prior to their convening. This committee has no authority to take any action on a resolution other than to refer it to the appropriate Pre-Convention Committee, unless there is a written opinion from Counsel General that a resolution is illegal or invalid and can cause the organization, its officers, its National Executive Committee members, appointees and other members to become liable. In such an event, the Committee on Resolutions shall report said action to the National Convention delegates.

At the Pre-Convention Meeting of the Committee on Resolutions, resolutions not within the jurisdiction of any other Pre-Convention Committee shall be presented for explanation by a member of the Committee on Resolutions. Upon conclusion of

discussion of each resolution, the committee may vote either to a) recommend to the National Convention delegates that a proposed resolution be adopted; b) recommend to the National Convention delegates that a proposed resolution not be adopted; or c) make no recommendation to the National Convention delegates regarding a proposed resolution. Each member of the Committee on Resolutions and one (1) representative from each department shall be entitled to vote on the recommendation to be made to the National Convention Delegates. The Committee on Resolutions shall report its activity to the National Convention delegates.

4) Any other special National Convention committee as deemed appropriate by the National President.

- b) Pre-Convention Committees shall exist for the National Chaplain and National Historian, and for the following national committees: Americanism, Auxiliary Emergency Fund, Cavalcade of Memories, Children & Youth, Community Service, Constitution & Bylaws (see additional subsection on Constitution & Bylaws in this section), Education, Finance, American Legion Auxiliary Girls Nation, Junior Activities, Leadership, Legislative, Liaison to the Child Welfare Foundation, Membership, National Security, Past Presidents Parley, Poppy, Public Relations, and Veterans Affairs & Rehabilitation.

The Pre-Convention Committees for the National Chaplain and National Historian shall be comprised of the national officer, plus one member assigned by each department.

The Pre-Convention Committees that correlate to the national committees shall each be comprised of members of the correlating national committee plus one member assigned by each Department.

The purpose of these Pre-Convention Committee meetings is to consider and to make recommendations upon subject matters assigned; to receive reports from their corresponding committees; to review accomplishments and best practices of the year; to recognize committee members, departments, units or others for exemplary

achievements, to ensure a smooth transition to the incoming standing committee; to offer recommendations regarding goals and other pertinent matters to foster advancement and fulfillment of the Auxiliary's mission; and to make a recommendation on each proposal assigned to it by the Resolutions Committee. Upon conclusion of open discussion regarding each proposal, the committee may vote either to a) recommend to the National Convention delegates that a proposal be adopted; b) recommend to the National Convention delegates that a proposal not be adopted; or c) make no recommendation to the National Convention delegates regarding a proposal.

All Pre-Convention Committee meetings shall be open to all delegates. Only those delegates assigned to the Pre-Convention Committee shall have voice and vote, unless authorized by a majority vote of the Pre-Convention Committee, in which case voice only may be granted. Each proposal shall be presented for explanation by a member of the Pre-Convention Committee. Upon conclusion of open discussion of each proposal, the committee may vote either to a) recommend to the National Convention delegates that a proposed resolution be adopted; b) recommend to the National Convention delegates that a proposed resolution not be adopted; or c) make no recommendation to the National Convention delegates regarding a proposed resolution. Each member of a Pre-Convention Committee and one representative assigned from each department shall be entitled to vote on the recommendation to be made to the National Convention delegates.

- c) The purpose of the Pre-Convention Committee on Constitution & Bylaws is to receive and consider all proposed amendments to the governing documents that are to be presented to the National Convention delegates, and to verify that amendments adopted by the National Convention are correctly incorporated into the governing documents.

The purpose of the meeting of the Pre-Convention Committee on Constitution & Bylaws is to clarify the meaning of the proposals for National Convention delegates prior to National Convention.

The Pre-Convention Committee meeting on Constitution & Bylaws shall be open to all National Convention delegates and shall be held at a time that does not conflict with the meetings of all other Pre-Convention Committees. Each proposed amendment shall be presented for explanation by a member of the Pre-Convention Committee on Constitution & Bylaws. Any delegate may ask a clarifying question. Such questions from non-members of the Pre-Convention Committee on Constitution & Bylaws shall be limited to clarifying the intent or purpose of a proposal. There shall be no debate on the merits of the proposal based on clarifying questions from non-members of the committee.

Upon conclusion of open discussion regarding clarification of each proposed amendment, the committee may discuss the merits of the proposal and may vote either to a) recommend to the National Convention delegates that a proposed amendment be adopted; b) recommend to the National Convention delegates that a proposed amendment not be adopted; or c) make no recommendation to the National Convention delegates regarding a proposed amendment. Each member of the Pre-Convention Committee on Constitution & Bylaws and one (1) representative assigned from each department shall be entitled to vote on the recommendation to be made to the National Convention delegates.

- d) Each Division of the National American Legion Auxiliary shall, for the purpose of nominating a National Division Vice President, meet at a time and place designated by the Call of the National President. Rules and suggested agenda for Division Caucuses shall be sent out from National Headquarters prior to the National Convention and may be included with the Call to National Convention. Any candidate endorsed for the position of National Division Vice President shall not be announced until an official Division Caucus immediately preceding the year of the member's candidacy.
- e) The National President shall appoint the National Convention Host City Chairman who is charged with preparation of the preliminary plans and local arrangements for the National Convention in consultation with and with

the approval of the National President. The National President shall also appoint such other National Convention committees as appropriate, including Distinguished Guests, Credentials, Rules, and Resolutions. The National President may also appoint a National Chairman and Vice Chairman of Pages, and Personal Pages.

The National Convention Host City Chairman shall appoint the host committee, including a Vice Chairman, a Secretary, and members of all committees necessary for the functioning of the National Convention on the local level, with all such appointments to be approved by the National President.

### **III. NATIONAL CONFERENCES FOR DEPARTMENT LEADERS:**

1. A Department Leadership National Conference shall be held annually. Necessary expenses incurred for attendance may be paid from the national treasury when authorized by the national budget or authorized by the National President and confirmed by the National Executive Committee.
2. The National organization may present other national trainings, meetings, or conferences for specified department leaders from time to time such as the Department Secretary Organizational Effectiveness Training. Necessary expenses incurred for attendance may be paid from the national treasury when authorized by the national budget or authorized by the National President and confirmed by the National Executive Committee.
3. When a national training, meeting, or conference for specified department leaders is presented, and expenses for attendance are paid by the National organization, the specified department leaders for whom the training, meeting, or conference is prepared and presented are expected to attend, absent a valid excuse presented to and accepted by the National President or National Secretary.
4. Failure to attend as expected if registered shall result in the National Headquarters invoicing the department for said expense.

#### **IV. DUTIES OF NATIONAL OFFICERS:**

In addition to the duties of the National Officers as provided in the National Constitution & Bylaws, the following officers shall abide by the following rules and regulations:

##### **NATIONAL PRESIDENT:**

1. The National President shall serve as chairman of the National Executive Committee and chairman of the National Convention.
2. The National President may appoint an Advisory Committee of three (3) to five (5) members as approved by the National Executive Committee.
3. The National President may authorize the candidate(s) for National President to make necessary plans for the upcoming administrative year, and authorize such travel as may be necessary.
4. Should the National President become incapacitated, the National Secretary shall inform the National Executive Committee.

##### **NATIONAL VICE PRESIDENT:**

1. The National President may authorize the National Vice President to attend meetings on behalf of the National President and attend such special meetings or official Department visits as the National President may authorize.
2. When the National President so directs, the National Vice President shall serve in an advisory capacity to a specific National Chairman to develop a program.
3. The National Vice President shall not attend Department Conferences or Conventions or other functions in an official or unofficial capacity unless specifically authorized to do so by the National President, with attendance at the National Vice President's own Department Conference or Convention being the exception.

##### **NATIONAL DIVISION VICE PRESIDENTS:**

1. The National Division Vice Presidents shall not attend National or Department Conferences or Conventions in an official capacity unless specifically authorized to do so by the

National President. Attendance by a National Division Vice President at said officer's own Department Convention is the exception; National Division Vice Presidents may attend as a member from their own Department in which case a National Division Vice President does not assume an official position or attitude and no special courtesies may be accepted.

2. While National Division Vice Presidents may contact Department Presidents regarding their tentative date for an official visit, the request for the official visits of the National Division Vice President must be sent by the Department President to the National President and the National Division Vice President shall not complete plans for any visit until an official authorization from the National President is received.
3. The official visit of the National Division Vice President to a Department shall be for a duration not to exceed forty-eight (48) hours unless an exception has been authorized by the National President. The agenda for a National Division Vice President's visit to a Department shall be planned and provided in advance.
4. National Division Vice Presidents shall not be authorized to visit Puerto Rico or the Philippine Islands, nor shall they present themselves as representatives of the American Legion Auxiliary on personal or unofficial visits to foreign destinations during their term of office.
5. National Division Vice Presidents shall arrange for and conduct their Division Caucuses at the National Convention in accordance with these standing rules.
6. Endorsed candidates for National Division Vice President shall not send notice of their endorsements to candidates for National President until the year before they will be a candidate for such office in their respective Division.

#### **NATIONAL CHAPLAIN:**

1. The National Chaplain is responsible for all invocations and benedictions at official meetings.
2. The National Chaplain shall conduct the official Memorial Service for any deceased Past National President at the National Convention.

## **NATIONAL HISTORIAN:**

1. The National Historian shall prepare a written account of the organization's current administrative year for reference in the compilation of future American Legion Auxiliary National history books. Quarterly reports are due to National headquarters within thirty (30) days of end of the quarter for the first three (3) quarters of the administrative year. Failure to submit reports will result in a termination of travel authorizations. The completed report is to be filed in National Headquarters no later than December 31 following the National Convention, a copy to be sent to the National President with whom the National Historian served. The Past National Historian pin will be presented when a completed history is received by December 31 of the year in which the National Historian leaves office and is accepted by the National President for whom the National Historian served.
2. The National Historian shall be responsible for compiling and sending to the Departments an "Outline and Rules for Department Histories" that Departments must follow when submitting entries to be judged for a National award. Judging of the Department histories shall be done by the five (5) National Division Vice Presidents under the supervision of the National Historian.

## **V. NATIONAL EXECUTIVE COMMITTEE:**

1. The fiduciary responsibility of the National Executive Committee, as directors of the National Organization, is as provided in the National Bylaws.
2. The National Executive Committee shall meet at least three (3) times a year, with notice, at the call of the National President. Meetings of the National Executive Committee shall be open except when the National Executive Committee is meeting in executive session.
3. Chairmen of national committees who are not members of the National Executive Committee shall have the privilege to make motions on behalf of the committee they chair.
4. The National Executive Committee shall determine the membership year for the organization.



5. Cancellation of charters may be presented at the National Executive Committee meeting prior to the National Convention or at a National Executive Committee meeting called between National Conventions. Cancellations approved by the National Executive Committee shall become effective immediately following National Convention.
6. The National Executive Committee shall make determinations regarding the election, eligibility, conduct, and capacity of national officers and of national committee members in executive session pursuant to the principles of due process and equal protection, and in consultation with Counsel General.
7. In the event the National President, National Vice President, National Historian, National Chaplain, or a National Division Vice President becomes incapacitated or is otherwise unable to discharge the duties of the office held, the National Executive Committee may declare that position vacant.
8. In the event the National Secretary or National Treasurer becomes incapacitated or is otherwise unable to discharge the duties of the office, the National Executive Committee may declare the position vacant only if the position is held by a person who is not an employee of National Headquarters.

When the position is held by a person who is an employee of National Headquarters, the declaration of vacancy must be in accord with federal and state employment law and for good cause on the motion of the National President.

9. The National Executive Committee shall refer matters regarding the election, eligibility, conduct, and capacity of a National Executive Committee person or a Department officer to the Committee person's or Department officer's Department for the Department's determination.
10. The National Executive Committee may establish procedural rules regarding the suspension, cancellation, or revocation of Unit charters, with full power to revise or amend such rules. The general process shall be as provided in the section on Charters in these Standing Rules.
11. As provided in the American Legion Auxiliary National Bylaws and enacted by the National Convention, there shall be a

national intermediate body, the executive committee to the National Executive Committee, which shall be subordinate to the National Executive Committee.

The National President, National Vice President, National Secretary, National Treasurer, and National Finance Committee Chairman shall comprise the executive committee to the National Executive Committee.

The purpose of the executive committee to the National Executive Committee shall be:

- 1) to review, research and make recommendations to the NEC on matters requiring NEC action; and
- 2) to address and act on time sensitive matters subject to ratification by the NEC.

## **VI. COMMITTEES**

1. As provided in the National Bylaws, in addition to the core National Standing Committees – Veterans Affairs & Rehabilitation, Children & Youth, Americanism, National Security, Membership, Constitution & Bylaws, Finance, and Audit – there shall be the following national committees: Auxiliary Emergency Fund, History, Community Service, Education, American Legion Auxiliary Girls Nation, Junior Activities, Leadership, Legislative, Liaison to The American Legion Child Welfare Foundation, Past Presidents Parley, Poppy, and Public Relations. The overall purpose of each standing committee is as specified in this section; the purpose of each national committee is as described in the American Legion Auxiliary National Program Action Plan.
2. As provided in the National Bylaws, the chairmen and committee members of all national committees shall be appointed by the National President and confirmed by the National Executive Committee.
3. As provided in the National Bylaws, when a vacancy occurs on a committee, the National President shall appoint a member to serve the unexpired term subject to confirmation by the National Executive Committee. Chairmen and committee members serve until their successors are appointed.

4. As provided in the National Bylaws, the National President shall be considered an ex-officio member, additionally, of all committees.
5. As provided in the National Bylaws, the National President in consultation with National Headquarters staff may appoint other special or ad hoc committees necessary for the good of the organization during an administrative year. Special Committees shall be appointed subject to confirmation and ratification by the National Executive Committee. Limited specific purpose or ad hoc Committees may be appointed at the discretion of the National President subject to National Executive Committee confirmation.
6. The composition of each National Standing Committee and each National Committee and the number of members and their terms shall be as described in this section, and any amendments thereto shall be by action of the National Convention delegates.

### ***Core National Standing Committees***

**Veterans Affairs & Rehabilitation:** The Veterans Affairs & Rehabilitation Committee shall be comprised of a chairman who shall serve a one-year term; three (3) members serving staggered three-year terms, one of whom shall be appointed each year to a three-year term, and a representative from each National Division who shall serve a one-year term. Of the three (3) members serving three-year terms, one (1) shall serve as the National Veterans Affairs Voluntary Service (VAVS) Representative, and two (2) shall serve as National VAVS Deputy Representatives.

The purpose of the Veterans Affairs & Rehabilitation Committee is to promote programs and services that assist and enhance the lives of veterans and their families, ensuring restoration and/or transition to normally functioning lives.

**Children & Youth:** The Children & Youth Committee shall be comprised of a chairman and two (2) members, plus a representative from each National Division, all of whom shall serve a one-year term. The purpose of the

Children & Youth Committee is to work collaboratively with The American Legion to promote programs that protect, care for, and support children and youth, especially those of our military and veterans.

**Americanism:** The Americanism Committee shall be comprised of a chairman and four (4) members, plus a representative from each National Division, all of whom shall serve a one-year term. The purpose of the Americanism program is to promote patriotism and responsible citizenship.

**National Security:** The National Security Committee shall be comprised of a chairman and four (4) members, plus a representative from each National Division, all of whom shall serve a one-year term. The purpose of the National Security Committee is to promote a strong national defense.

**Membership:** The Membership Committee shall be comprised of a chairman and three (3) members, plus a representative from each National Division, all of whom shall serve a one-year term. The purpose of the Membership Committee is to promote the benefits of membership and to promote retaining and recruiting a diverse, active membership to carry out the American Legion Auxiliary mission and programs.

**Constitution & Bylaws:** The Constitution & Bylaws Committee shall be comprised of a chairman and four (4) members, all of whom shall serve a one-year term. The purpose of the Constitution & Bylaws is to inform members about having proper governing documents at all levels.

**Finance:** The National Finance Committee shall be comprised of five (5) members serving staggered five-year terms, at least one (1) of whom shall be a Past National President. One (1) member shall be appointed each year by the National President to serve a five-year term and may serve a maximum of two (2) five-year terms consecutively. No appointee having served two (2) or more terms on the committee shall be eligible for reappointment. The chairman shall be appointed annually and serve as one (1) of the five (5) members. The National Secretary and National Treasurer shall be

additional members of said committee with voice, but without vote.

The National Finance Committee shall meet quarterly at the call of the National President. Special meetings shall be held at the request of three (3) of the five (5) committee members. The National Vice President, National Veterans Affairs & Rehabilitation Chairman, and National Children & Youth Chairman may attend as guests for the purpose of observing to gain experience about national budgeting and finances.

The purpose of the National Finance Committee is to oversee the development and implementation of general national financial policy subject to approval or ratification by the National Executive Committee, and to provide oversight of budgeted funds in the budget and report any significant variance to the National Executive Committee.

**Audit:** The Audit Committee shall be comprised of a chairman and two (2) members, each serving staggered three-year terms, one of whom shall be appointed each year by the National President; and two (2) liaison members, one (1) of whom shall be recommended each year by the National Finance Committee and one (1) of whom shall be a member of the American Legion Auxiliary Foundation Board of Directors recommended each year by the American Legion Auxiliary Foundation to the National President for appointment. The National President shall appoint the chairman from among those who are not liaison members.

The purpose of the Audit Committee is to provide oversight assistance to the National Executive Committee in fulfilling its responsibilities regarding accounting and reporting practices, reliable systems of internal control, the corporate responsibility program, and the quality and integrity of the Auxiliary's financial reporting. Audit Committee members shall be financially literate, and the chairman shall have the necessary background to be considered an "audit committee financial expert" in matters of accounting, finance, auditing, and risk aversion.

## ***National Committees – Mission Outreach***

**Education:** The Education Committee shall be comprised of a chairman serving a one-year term, three (3) members serving staggered three-year terms, one of whom shall be appointed each year to serve a three-year term; plus a representative from each National Division, all of whom shall serve a one-year term.

**American Legion Auxiliary Girls Nation:** The ALA Girls Nation Committee shall be comprised of a chairman and four (4) members, plus a representative from each National Division, all of whom shall serve a one-year term. The ALA Girls Nation Committee shall direct the American Legion Auxiliary Girls Nation program and conduct the annual session of the American Legion Auxiliary Girls Nation, with the ALA Girls Nation Chairman serving as director under the supervision of the National President.

**Junior Activities:** The Junior Activities Committee shall be comprised of a chairman and three (3) members, plus a representative from each National Division, all of whom shall serve a one-year term.

**Legislative:** The Legislative Committee shall be comprised of a chairman and three (3) members, plus a representative from each National Division, all of whom shall serve a one-year term.

**Poppy:** The Poppy Committee shall be comprised of a chairman and two (2) members, plus a representative from each National Division, all of whom shall serve a one-year term.

**Community Service:** The Community Service Committee shall be comprised of a chairman and four (4) members, plus a representative from each National Division, all of whom shall serve a one-year term.

## ***National Committees – Member/Organizational Support***

**Auxiliary Emergency Fund:** The Auxiliary Emergency Fund (AEF) Committee shall be comprised of a chairman and two (2) members, plus a representative from each National Division, all of whom shall serve a one-year term.

The Auxiliary Emergency Fund provides grants to American Legion Auxiliary members who qualify for specific types of emergency assistance. A three (3) member review and processing committee shall consist of the National Secretary, the National Treasurer, and a staff member of The American Legion Children & Youth Commission.

**History Committee:** The History Committee shall be comprised of a chairman and three (3) members, all of whom shall serve a one-year term. The National Historian shall serve as an ex-officio member of the committee.

**Leadership:** The Leadership Committee shall be comprised of a chairman plus three (3) members, plus a representative from each National Division, all of whom shall serve a one-year term.

**Past Presidents Parley:** Past Presidents Parley shall be comprised of a chairman and two (2) members, all of whom shall be Past National Presidents and all of whom shall serve a one-year term.

**Public Relations:** The Public Relations Committee shall be comprised of a chairman and three (3) members, plus a representative from each National Division, all of whom shall serve a one-year term.

**Liaison to Child Welfare Foundation:** The Liaison to The American Legion Child Welfare Foundation Committee shall be comprised of three (3) members, two (2) of whom shall be Past National Presidents and one (1) of whom shall be the Chairman of the Children & Youth Committee. The appointed Past National Presidents shall serve staggered two-year terms, one of whom shall be appointed each year to a two-year term. One (1) Past National President shall be appointed each year to serve as the chairman, the Auxiliary's primary liaison to The American Legion Child Welfare Foundation.

### ***Special Purpose Committees***

**Advisory:** The National President may appoint an Advisory Committee subject to ratification by the National

Executive Committee, comprised of members subject to confirmation by the National Executive Committee.

**Long Range Strategic Planning:** The National President may appoint a long range Strategic Planning Committee subject to ratification by the National Executive Committee, comprised of a chairman, National President, National Vice President, National Secretary, National Treasurer, Immediate Past National President, Veterans Affairs & Rehabilitation chairman, Children & Youth chairman, and other members at the discretion of the National President, subject to confirmation by the National Executive Committee.

7. Committees shall promote their programs in conjunction with corresponding American Legion commissions and committees. Purposes of committees not specified in the Standing Rules shall be as assigned by the National President or as provided for in the annual programs action plan or other published national guides. Meetings of committees shall be approved by the National President.

## **VII. NATIONAL CHAIRMEN**

1. National Chairmen shall not accept invitations to visit other Departments other than their own without permission of the National President.
2. When a National Chairman is authorized by the National President to officially represent the National Organization at a meeting or event, a written report must be submitted to the National President.
3. National Chairmen are required to maintain records of their activities during their administrative year and share their records with their successors and the appropriate National Headquarters staff.

## **VIII. SUBSIDIARY ORGANIZATIONS**

### **NATIONAL SUBSIDIARY ORGANIZATIONS**

1. As required by United States trademark laws and the American Legion Auxiliary National Bylaws, all national



subsidiary organizations of the American Legion Auxiliary shall be subject to regulation by action of the national governing bodies of the American Legion Auxiliary.

Subsidiary organizations are subordinate to the National Organization and shall comply with the following legally binding rules that ensure the constant and continuous control of the trademarks and trade names of the National Organization.

The five (5) Rules of a Subsidiary Organization are:

1. All officers, directors, trustees, etc., must be confirmed by the American Legion Auxiliary National Executive Committee.
  2. All vacancies in the subsidiary corporation must be filled in the same manner as provided in the organization's bylaws and confirmed by the National Executive Committee.
  3. The subsidiary corporation must report to the National Headquarters, and reports must include financial reports submitted no less frequently than monthly.
  4. The American Legion Auxiliary National Treasurer must be a signatory on all accounts of the subsidiary.
  5. The American Legion Auxiliary National Executive Committee shall approve the establishment of all subsidiary organizations and must approve the subsidiary's articles of incorporation, constitution and bylaws, and must approve all amendments thereto.
2. Subsidiary organizations of the American Legion Auxiliary may not have national dues that are higher than the national dues of the American Legion Auxiliary. Subsidiary organizations shall provide all required reports and financial statements as directed by the American Legion Auxiliary.
  3. The following organization(s) is/are subsidiary(ies) of the American Legion Auxiliary:

### **American Legion Auxiliary Foundation**

The American Legion Auxiliary Foundation (ALA Foundation) was established in 2007 as a 501(c)(3) charitable public benefit corporation to raise funds to benefit and assist the American

Legion Auxiliary in carrying out the educational, charitable and other exempt purposes of the Auxiliary.

The American Legion Auxiliary Foundation, classified in a different category of tax-exempt organizations by the Internal Revenue Service than that of the National Organization, has its own tax-exempt determination (ruling) from the IRS. The Foundation shall comply with all legal and regulatory filings as required. Members of the Foundation's audit committee may be the same as those serving on the ALA National Auxiliary Audit Committee. A representative from the Foundation board of directors shall participate in meetings of the national Auxiliary Audit Committee. The American Legion Auxiliary Foundation shall abide by the National Audit Committee Charter.

The American Legion Auxiliary Foundation shall elect directors and officers as provided in the American Legion Auxiliary Foundation Bylaws as approved by the National Executive Committee. The American Legion Auxiliary Foundation directors and officers shall be confirmed by the National Executive Committee before they assume office.

The American Legion Auxiliary Foundation shall abide by any memorandum for the record by and between the American Legion Auxiliary and the American Legion Auxiliary Foundation, as approved by Counsel General and the American Legion Auxiliary's external audit firm.

## **DEPARTMENT SUBSIDIARY ORGANIZATIONS**

1. As required by United States trademark laws and the American Legion Auxiliary National Bylaws, all Department subsidiary organizations of the American Legion Auxiliary shall be subject to regulation by action of the Department governing bodies of the American Legion Auxiliary.

Subsidiary organizations are subordinate to the Department and shall comply with the following legally binding rules that ensure the constant and continuous control of the trademarks and trade names of the American Legion Auxiliary.

The five (5) Rules of a Subsidiary Organization to a Department are:

1. All officers, directors, trustees, etc., must be confirmed by the American Legion Auxiliary Department Executive Committee.

2. All vacancies in the subsidiary corporation must be filled in the same manner as provided in the organization's bylaws and confirmed by the Department Executive Committee.
  3. The subsidiary corporation of the Department must report to the Department Executive Committee, and reports must include financial reports submitted no less frequently than monthly.
  4. The American Legion Auxiliary Department Treasurer must be a signatory on all accounts of the subsidiary.
  5. The American Legion Auxiliary Department Executive Committee shall approve the establishment of all Department subsidiary organizations and must approve the subsidiary's articles of incorporation, constitution and bylaws, and must approve all amendments thereto
2. Subsidiary organizations of the American Legion Auxiliary Departments may not have dues that are higher than the Department dues of the American Legion Auxiliary. Subsidiary organizations shall provide all required reports and financial statements as directed by the American Legion Auxiliary.
  3. An incorporated ALA Girls State program is a subsidiary organization of the Department and is wholly accountable to the Department.

## **UNIT SUBSIDIARY ORGANIZATIONS**

1. As required by United States trademark laws and the American Legion Auxiliary National Bylaws, all Unit subsidiary organizations of the American Legion Auxiliary shall be subject to regulation by action of the Unit governing bodies of the American Legion Auxiliary.

Subsidiary organizations are subordinate to the Unit and shall comply with the following legally binding rules that ensure the constant and continuous control of the trademarks and trade names of the American Legion Auxiliary.

The five (5) Rules of a Subsidiary Organization to a Unit are:

1. All officers, directors, trustees, etc., must be confirmed by the American Legion Auxiliary Unit's governing board or governing body.

2. All vacancies in the subsidiary corporation must be filled in the same manner as provided in the organization's bylaws and confirmed by the Unit's governing board or governing body.
  3. The subsidiary corporation of the Unit must report to the Unit, and reports must include financial reports submitted no less frequently than monthly.
  4. The American Legion Auxiliary Unit Treasurer must be a signatory on all accounts of the subsidiary.
  5. The American Legion Auxiliary Unit shall approve the establishment of all Unit subsidiary organizations and must approve the subsidiary's articles of incorporation, constitution and bylaws, and must approve all amendments thereto.
2. Subsidiary organizations of the American Legion Auxiliary may not have dues that are higher than the Unit dues of the American Legion Auxiliary. Subsidiary organizations shall provide all required reports and financial statements as directed by the American Legion Auxiliary. Examples of unit subsidiary organizations include incorporated gift/sales shops or programs.

## **IX. DEPARTMENTS**

1. Departments of the American Legion Auxiliary are separate entities that operate independently as affiliates of the American Legion Auxiliary National Organization. Departments shall be governed by their own Department Constitution and/or Bylaws, rules and policies, which shall not conflict with the National Constitution & Bylaws, National Standing Rules, National rules and policies. Departments may refer to the American Legion Auxiliary Department Operations Guide, the American Legion Auxiliary Girls State Program and Operations Guide, Manual of Ceremonies and other publications of the National Organization for guidance in the conduct of their programs and the administration of the Department activities.
2. Governance issues within a Department not resolved by the Department Executive Committee may be appealed to the National Executive Committee. The National Executive

Committee has the authority to accept or reject appeals for consideration.

3. Departments shall not charge for materials received free of charge from National Headquarters.
4. The Unit has the responsibility for the discipline of its members. A member disciplined by said member's Unit may appeal the Unit's disciplinary action in writing to the Department Executive Committee. The Department Executive Committee shall review the appeal and respond as it deems appropriate. The action of the Department Executive Committee is final. Disciplinary actions against members, including membership suspensions, are not appealable to the National Organization. All discipline must be imposed in accordance with the principles of due process and equal protection. A Department may discipline a Unit for failure to discipline a member.
5. It shall be the responsibility of the Department Executive Committee as directors of the Department organization to determine all questions affecting the election, eligibility, conduct, and capacity of the Department's officers and directors, Department Executive Committee members, and the Department's National Executive Committee member(s). Such matters shall be determined according to due process and shall be specified in the Department's governing documents, to include:
  - a) questions affecting the election, eligibility, conduct, and capacity of the Department's officers and directors, Department Executive Committee members, and the Department's National Executive Committee member(s) shall be submitted in writing to the Department Executive Committee;
  - b) the Department Executive Committee may designate, appoint, and authorize a subcommittee to hear, try, and make written findings of fact and recommendations regarding such matters;
  - c) the Department Executive Committee shall provide due and proper notice of any hearing and trial;
  - d) the findings of fact and recommendations of said matters shall be presented to the Department Executive Committee for its approval, rejection, or final action.

- e) the action of the Department Executive Committee in such matters shall be final and conclusive without appeal to the National Organization.
- 6. A Legion Department has no authority to regulate an Auxiliary Department and vice versa.
- 7. A Department has the authority to establish Department policies for endorsement of candidates for National offices. National Headquarters does not require endorsements and does not oversee the manner in which Divisions select candidates for National Division Vice President.
- 8. Names and addresses of all elected Department Officers and the Department Secretary, whether elected or appointed, must be provided to National Headquarters no later than thirty (30) days after Department Convention.
- 9. Names and complete contact information of all Department Chairmen must be entered into the American Legion Auxiliary Management Information System by the Department no later than the date established by National Headquarters.
- 10. National Headquarters shall notify Departments of all resolutions and amendments adopted at each National Convention.

## **X. UNITS**

- 1. Units of the American Legion Auxiliary are separate entities that operate independently as affiliates of the American Legion Auxiliary National Organization. Units shall be governed by their own Unit Constitution and/or Bylaws which shall not conflict with the National Constitution & Bylaws, National Standing Rules, National rules and policies, Department Constitution and Bylaws, or Department rules and policies. Units may refer to the Unit Guide Book, the Manual of Ceremonies and other publications of the National and Department organizations for guidance in the conduct of their programs and the administration of Unit activities.
- 2. Units have the authority to establish annual Unit dues. Annual dues collected by the Unit shall include Department and National dues. Units shall remit Department and National dues

according to the policies adopted by the National Executive Committee.

3. As provided in the National Bylaws, the minimum membership of a Unit shall be ten (10) Senior members. A Department Headquarters Unit shall have no minimum membership requirement.

No person may, at any time, be a member of more than one Unit.

A new member joining the American Legion Auxiliary prior to the annual National Convention must pay full current annual dues to be eligible for full membership rights, privileges, and benefits.

A new member joining after the National Convention may be given by the Unit full membership rights, privileges, and benefits from the date the dues are received through December 31 of the following year.

A member who is not subject to suspension or membership revocation under due process is eligible to transfer membership to another Unit if the member has paid membership dues to the current Unit for either the current year or immediate past membership year. A member transferring to a new Unit must pay current year dues to either the current Unit or to the Unit into which the member wishes to transfer.

Transfer is final upon verification of eligibility, evidence of paid membership, and acceptance of the transferee by the new Unit.

Evidence of paid membership includes:

1. American Legion Auxiliary Membership Card
2. Verification of membership by ALA Department or National Headquarters membership records.
3. Other documentation verifying payment of current or immediate past year membership dues such as a cancelled check or receipt; or
4. When verifying documentation is not available, a sworn statement that the member's membership dues payment was tendered.

A member whose dues are paid up-to-date and who is not subject to suspension or membership revocation under due process shall be considered in good standing and the member shall be entitled to full membership rights, privileges, and benefits in the new Unit.

4. A valid American Legion Auxiliary Membership Card shall reflect the member's current pertinent membership information and may either be:
  - a) A preprinted Auxiliary membership card conveyed by a Unit or Department
  - b) A preprinted Auxiliary membership card mailed via the United States Postal Service or couriered via a professional delivery service
  - c) An Auxiliary membership card electronically or digitally printed from a new membership generated online or a renewed membership paid online or by phone via the American Legion Auxiliary website online membership system; an official American Legion Auxiliary membership card printed online must bear the electronic signature of the American Legion Auxiliary National Secretary and be hand-signed by the member.

An American Legion Auxiliary membership card electronically printed online as described above in subsection 4(c) carries all of the American Legion Auxiliary rights and privileges the same as does a pre-printed stock Auxiliary membership card as described above in subsections 4 (a) and 4 (b).

5. A Legion Post has no authority to regulate a Unit and vice versa.
6. The Unit has the responsibility for the discipline of its members. A member disciplined by the member's Unit may appeal the Unit's disciplinary action in writing to the Department Executive Committee. *See Standing Rules Section IX Departments – Section 4 and 5.*

Disciplinary actions against members, including membership suspensions, are not appealable to the National Organization. All discipline must be imposed in accordance with the principles of due



process and equal protection. A Department may discipline a Unit for failure to discipline a member.

7. When a Unit ceases to function or its charter has been revoked or canceled, the charter and all Unit records and funds shall be immediately forwarded to Department Headquarters which has no obligation to assume any of the Unit's debt or other obligations.
8. A Unit whose charter has been suspended, canceled, or revoked by its Department without the Unit's consent may appeal the Department's decision to the National Executive Committee as provided in these Standing Rules.

## **XI. CHARTERS**

### **Department Charters**

1. As provided in the National Bylaws, the National Executive Committee shall charter Departments with a minimum of five hundred (500) adult members.
2. The National Executive Committee, after notice and hearing, may suspend, cancel, or revoke the charter of a Department for any good and sufficient cause to it appearing. The National Executive Committee may designate, appoint and authorize a subcommittee to hear, try, and make written findings of fact and recommendations regarding the suspension, cancellation, or revocation of the charter of any American Legion Auxiliary Department after said Department shall have received due and proper notice of said hearing and trial. The subcommittee shall present its written findings and recommendations to the National Executive Committee for its approval or rejection. All suspensions and revocations must be imposed in accordance with the principles of due process and equal protection. The action of the National Executive Committee upon such findings and recommendations shall be final.
3. The hearing and trial of any cause involving the suspension, cancellation, or revocation of the charter of any Department of the American Legion Auxiliary shall be had and held under rules of procedure to be adopted by the National Executive Committee.

## Unit Charters

1. A properly executed Unit charter application shall include typewritten/electronically printed names of at least ten (10) new or current Senior members, and be accompanied by the per capita dues for each member, plus the Unit Charter fee. Application for Unit charters shall be signed by the Department President and the Commander and Adjutant of The American Legion Post to which the Unit is attached.
2. Department charter fees should be in proportion to the current charter fee as established by National Headquarters. There shall be no charter fee for a Department Headquarters Unit.
3. The Department Executive Committee after notice and hearing may suspend, cancel, or revoke the charter of a Unit for any good and sufficient cause to it appearing. All such actions must be imposed in accordance with the principles of due process and equal protection. The proceedings shall be conducted with a court recorder present who will make a complete record.
4. The Department Executive Committee may order the suspension of a charter for a period not to exceed one year.
5. A Unit whose charter has been suspended, canceled, or revoked without its consent may appeal the Department's action to the National Executive Committee within sixty (60) days of receipt of notice of the Department's action. Notice shall be given by United States postage prepaid certified mail return receipt requested.
6. The general process by which a Unit may appeal the decision of its Department Executive Committee to suspend, cancel, or revoke its charter shall be:
  - a) The Unit shall provide written notice of the appeal to the National Secretary within sixty (60) days of the Unit's receipt of notice of the action by the Department.
  - b) The Unit shall provide the written appeal with supporting documentation to the National Secretary and provide a copy of the written notice and appeal

with supporting documentation to both the Department President and the Department Secretary.

- c) The National Secretary shall notify the National President of the appeal.
  - d) The Department, upon notification of the Unit's appeal, shall provide a written copy of its actions regarding the suspension, cancellation, or revocation, of the Unit's charter to both the National President and National Secretary and a full copy of the file of the Department's proceedings.
  - e) The National President, as presiding officer of the National Executive Committee, shall appoint a special subcommittee of three (3) to five (5) members of the National Executive Committee to review the appeal.
  - f) The National President shall present the appeal at the next meeting of the National Executive Committee that allows for proper due notice and review of the appeal.
  - g) The special subcommittee shall meet at least one day prior to the meeting of the National Executive Committee at which the National President will present the Unit's charter appeal. The special subcommittee shall review the appeal and recommend to the National Executive Committee action(s) to be taken thereon.
  - h) The National Executive Committee shall act on an appeal as provided in the following section.
7. It shall be the responsibility of the National Executive Committee to hear and act on an appeal duly presented from a Unit whose charter has been suspended, canceled, or revoked by the Department Executive Committee without the Unit's consent. The National Executive Committee after notice may conduct a hearing. The National Executive Committee may approve, reject, or take other action regarding the suspension, cancellation, or revocation of the Unit's charter for any and sufficient cause to it appearing.

The special subcommittee appointed by the National President to review the appeal shall make written findings of fact and recommendations to the National Executive Committee regarding the suspension, cancellation, or revocation of the charter of any American Legion Auxiliary Unit.

The special subcommittee shall notify the Unit and the Department of the day it will report to the National Executive Committee.

The National Executive Committee may approve, reject, or take other action on the appeal. The action of the National Executive Committee upon such findings and recommendations shall be final.

## **XII. DUES AND ASSESSMENTS**

1. The National per capita dues shall be twelve dollars (\$12.00) per annum for Senior members, and two dollars and fifty cents (\$2.50) per annum for Junior members. The per capita dues for Senior members shall include a complimentary subscription to the American Legion Auxiliary national magazine. Each Department shall remit the national per capita dues promptly to the National Treasurer via National Headquarters at least monthly.
2. As provided in the National Bylaws, modification to the National per capita dues for Senior and Junior members shall require a two-thirds vote in the affirmative by the National Convention delegates.
3. Dues shall be payable annually for the succeeding calendar year or may be paid for life via a Paid Up for Life (PUFL) membership.
4. A member failing to pay such annual dues by January thirty-first of the current membership year shall be delinquent and suspended from membership privileges.

A member deemed delinquent for failing to pay dues by December 31 of the current membership year shall be classified as expired. Such expired member may rejoin as an active member under the member's original join date without interruption of continuous years of membership, and membership privileges reinstated, by payment of all past dues.

A member deemed expired for failing to pay dues by December 31 of the current membership year may rejoin, with a new join date, at any time in the future by re-establishing eligibility and making application as a new member.

Member applications and member reinstatements may also require Unit action if a Unit's governing documents so state.

5. As provided in the National Bylaws, the National Executive Committee, by a two-thirds vote in the affirmative, may levy a per capita assessment.

### **XIII. JUNIOR MEMBERS**

1. Any Junior member elected to serve as an honorary Junior officer must be paying dues as a Junior member for the membership year in which she is installed.
2. Honorary National Junior offices carry courtesy titles bestowed by the American Legion Auxiliary, and the position of Honorary Junior National President or any other honorary Junior officer elected nationally or by a national division of the American Legion Auxiliary is solely an honorary, courtesy position without any formal recognition and with no official or formal duties, and shall not include traveling as a representative of the national American Legion Auxiliary or conducting fundraising for Junior election campaigns or related activities benefitting an honorary Junior national officer or candidate.
3. Honorary division Junior presidents may be elected at national division Junior meetings to serve the ensuing year.

# American Legion Auxiliary Mission:

*In the spirit of service, not self, the mission of the American Legion Auxiliary is to support The American Legion and honor the sacrifice of those who serve by enhancing the lives of our veterans, military, and their families, both at home and abroad.*

*For God and Country, we advocate for veterans, educate our citizens, mentor youth, and promote patriotism, good citizenship, peace and security.*



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