

 AMERICAN  
**LEGION**  

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**AUXILIARY**

# National Constitution, Bylaws and Standing Rules

**November 2023  
UPDATE**

*Revision Adopted 2013  
Initially Adopted 1921*



**A Community of Volunteers  
Serving Veterans, Military,  
and their Families**



# 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; Ninety-fifth Annual Convention, Baltimore, MD, August 28 - September 3, 2015; Ninety-ninth Annual Convention, Indianapolis, IN, August 24-29, 2019; and One hundred first Annual Convention, Milwaukee, Wisconsin, August 27 - September 1, 2022.

**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; Ninety-ninth Annual Convention, Indianapolis, IN, August 24-29, 2019; One-hundredth Annual Convention, Phoenix, AZ, August 30 - September 1, 2021; and One hundred first Annual Convention, Milwaukee, Wisconsin, August 27 – September 1, 2022.

# 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 composed of members aged 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 composed 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.

## **ARTICLE V**

### **National Executive Committee**

*Section 1.* Between National Conventions, the National Executive Committee (NEC) 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 by the Monday after the third Friday in July to the National Secretary who shall then distribute them to the Departments and members of the National Executive Committee at least twenty (20) days prior to the convening of the next National Convention. Departments shall be responsible for distributing the proposed amendments to their delegates to the National Convention.

*Section 2.* Amendments proposed after distribution 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.

# 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 and Appointment 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 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) and shall serve as an ex-officio member of all committees. It shall be the duty of the National President 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 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 disbursing 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 and the Executive Director 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, 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, 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.

There shall be an Executive Committee to the National Executive Committee. The purpose of the 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, except those duties reserved for the Executive Committee in the Bylaws Article V.

All questions regarding the election, eligibility, and capacity of national officers shall be referred to and determined by a two-thirds vote of 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 is incompetent, incapacitated, or otherwise unable to discharge the duties of the national office.

All questions regarding conduct of a national officer, all National Executive Committee members without regard to voting rights, or a member of a national committee that may be detrimental to the best interests of the American Legion Auxiliary shall be referred to and determined by a two-thirds vote of the National Executive Committee which shall be the final authority thereon. The NEC may suspend the member from all or some duties and rights of national committees and/or national activities pending the disposition of the case. If the National Executive Committee finds a member has violated any provision in the governing documents of the ALA, the National Executive Committee shall impose disciplinary action against the member which may include verbal counseling; written or verbal apology; written or verbal censure; probation with corrective terms; suspension from participation in or exercising voting rights on national committees and/or national activities for a defined period of time in compliance with applicable state laws; or termination of NEC membership, national appointment, and/or national elected position as applicable. Once terminated from service on the NEC for cause, a member is ineligible to hold future positions of national leadership. The rules and procedures 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**

### **Executive Director**

The Executive Director shall be responsible for implementing the policies and directives of the National Executive Committee. The Executive Director shall oversee the hiring, disciplining, and terminating of all National Headquarters employees and perform such duties as provided in the Standing Rules or as assigned. The Executive Director shall be hired, disciplined, or terminated by a majority vote of the Executive Committee of the National Executive Committee, in accordance with the terms of employment established by the Executive Committee. The Executive Director shall regularly be evaluated by the Executive Committee. In the event of a vacancy in the position of Executive Director, the Executive Committee may name a person to serve in that capacity until a new Executive Director is hired.

## **ARTICLE VI**

### **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 & Rehabilitation, Children & Youth, Americanism, National Security, Membership, Constitution & Bylaws, Finance, Risk & Compliance, and such other mission and member/organizational support committees as 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.

*Section 4.* If a member of a national committee is a member of the ALA, they shall be in good standing in their unit.

## **ARTICLE VII**

### **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 VIII**

### **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. If a department officer is a member of the ALA, they shall be in good standing in their unit.

*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 IX**

### **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 number of members to charter a new 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 our 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 X**

### **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 Risk & Compliance 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 XI**

### **Cancellation of Charters**

#### **Department Charters**

*Section 1.* The National Executive Committee, following the principle of fundamental fairness which includes notice and an opportunity to be heard, may discipline a Department or cancel the charter of a Department for any good and sufficient cause. The process for the discipline of a Department or cancellation of a Department charter shall be as provided in the Standing Rules.

*Section 2.* Upon cancellation of a Department's charter, the National Executive Committee may authorize agents to take custody of all records, assets, and property of the Department, and to take all necessary steps to close the affairs of the Department. The national organization may act in an administrative role until Units can affiliate with another department.

*Section 3.* In no event shall the National Organization be required to assume any of the Department's debts.

### **Unit Charters**

*Section 1.* The Department Executive Committee may discipline Units or cancel Unit charters for any good and sufficient cause following the principle of fundamental fairness, which includes notice and an opportunity to be heard.

*Section 2.* Cancellation of a Unit charter shall be in order when two (2) or more Units merge, at the request of a Unit, when a Unit ceases to function, or by action of the Department Executive Committee.

*Section 3.* The National Executive Committee may prescribe rules of procedures to be followed in the cancellation of Unit charters. All rules and procedures shall be handled in a timely manner following the principle of fundamental fairness, which includes notice and an opportunity to be heard,

*Section 4.* In the event a Unit's charter is canceled without the consent of the Unit, it shall have the right of appeal to the National Executive Committee as provided in the Standing Rules. Cancellation of a unit charter becomes final upon ratification by the NEC.

*Section 5.* Upon cancellation of a Unit charter, the Department Executive Committee is authorized to take possession of all records, assets, and property of the Unit and to provide for the administration of the Unit until members are transferred to other Units.

*Section 6.* In no event shall the Department organization be required to assume any of the Unit's debts.

## **ARTICLE XII**

### **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, Bylaws, Standing and Special Rules.

## **ARTICLE XIII**

### **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 by the Monday following the third Friday in July to the National Secretary who shall then distribute them to the Departments and members of the National Executive Committee at least twenty (20) days prior to the convening of the next 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 of the National Convention prior to taking the vote.

## **ARTICLE XIV**

### **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 in Constitution Article VI. National Convention, Section 2; Bylaws Article VI. Committees, Section 3; and Bylaws Article X. Finances, Section 1.

Except as noted in the previous paragraph, 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.

### **Mission Statement**

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.

### **Vision Statement**

The vision of the American Legion Auxiliary is to support The American Legion while becoming the premier service organization and foundation of every community providing support for our veterans, our military, and their

families by shaping a positive future in an atmosphere of fellowship, patriotism, peace, and security.

## **Purposes**

In fulfillment of our mission, the American Legion Auxiliary adheres to the following purposes:

- To support and advocate for veterans, military, and their families.
- To support the initiatives and programs of The American Legion.
- To foster patriotism and responsible citizenship.
- To award scholarships and promote quality education and literacy.
- To provide educational and leadership opportunities that uphold the ideals of freedom and democracy and encourage good citizenship and patriotism in government.
- To increase our capacity to deliver our mission by providing volunteer opportunities within our communities.
- To empower our membership to achieve personal fulfillment through *Service Not Self*.

## **Values**

Our statement of values is predicated on the founding purposes:

- Commitment to the four founding principles: justice, freedom, democracy, loyalty.
- Service to God, our country, its veterans, and their families.
- Tradition of patriotism and citizenship.
- Personal integrity and family values.
- Respect for the uniqueness of individual members.
- Truthful, open communication in dealing with the public and our members.
- Adherence to the adopted policies and rules.



# AMERICAN LEGION AUXILIARY

## NATIONAL LEADERSHIP CODE OF ETHICAL CONDUCT

*Service Not Self* is a concept that governs everything we do for the American Legion Auxiliary. The ALA exists to support The American Legion and to honor the service of our veterans, military, and their families. The organization has pursued that mission for over a century, and during that time has learned that achieving these goals requires a strong focus on our core values of integrity, honesty, fairness, openness, responsibility, and respect.

This Code of Ethical Conduct (“Code”) provides a framework for how we at the national level apply these core values in our service. The National Executive Committee (“NEC”) is composed of national officers, Past National Presidents, and National Executive Committee members from all departments. The National Leadership team is composed of the NEC and national appointees (collectively, our “National Leadership”). The Code is the defining document explaining the culture of our organization, and we require that all National Leadership read it, understand it, and apply its principles in all of their service for the ALA.

It is in the best interest of the National Organization to actively address all violations of this Code, which is only possible if concerns are raised clearly and quickly. For this reason, we strongly encourage prompt reporting of concerns using the reporting channels described in the Ethical Conduct Review Policy, and all reports will be treated with the same standards described in this Code. The ALA strictly prohibits retaliation against anyone for making a good faith report of suspected wrongdoing. A report is made in good faith if it is made with honest intentions, not maliciously or for personal gain, and the information in that report is true and complete to the best of your knowledge.

When it comes to upholding the values of the ALA, common sense and your moral compass will almost always show you the way, but the Code is here to provide National Leadership with additional guidance and support. Thank you for sharing our commitment to integrity, honesty, fairness, openness, responsibility, and respect as we continue our work together to enhance the lives of veterans, military, and their families, both at home and abroad.

### 1. Requirements of all National Leaders

#### a. Ethical Conduct

All National Leaders are expected to uphold and follow the governing

documents of the ALA: the National Constitution, Bylaws, and Standing Rules, as well as all national policies and procedures. Conduct that is suspected to be a violation of its governing documents or detrimental to the best interests of the organization may be referred to the Ethical Conduct Committee. While it is not possible to provide an exhaustive list of all potential ethics violations, some key examples include the following:

- Violations of bylaws, standing rules, or other policies or procedures.
- Violations of federal, state, or local laws that result in a conviction.
- Conduct, whether past or present, that presents potential liability risk, reputational risk, or hinders the mission of the ALA National Organization.

b. Diversity, Equity, and Inclusion

We are proud of our organization's diversity. We are strengthened by the range of backgrounds and beliefs represented by our membership, and we believe that we do our best work in an atmosphere of mutual respect for the worth and dignity of our members, those eligible to become members, our National Headquarters employees, and those we serve. We do not discriminate on the basis of race, sex, national origin, religion, disability, age, sexual orientation, marital status, parental status, medical condition, or any other legally protected characteristic.

2. Requirements Specific to the NEC

In addition to the ethical responsibilities that apply to all National Leaders, the NEC is responsible for the following:

a. Corporate Governance

As national board members, the NEC has an obligation to carry out the following legal duties:

- **DUTY OF CARE.** The duty of care describes the level of competence that is expected of a board member and is commonly expressed as the duty of care that an ordinarily prudent person would exercise in a like position and under similar circumstances. This means that you have a duty to exercise reasonable care when you make a decision as a steward of the ALA.
- **DUTY OF LOYALTY.** You must give undivided allegiance when making decisions affecting the ALA. This means that you must

always act in the best interests of the organization and must place the interests of the National Organization above your own personal interests.

- DUTY OF OBEDIENCE. You are obligated to obey applicable laws and ALA national governing documents and policies and may not act in a way that is inconsistent with the ALA's mission or goals.

Maintaining law and order is part of our values as an organization, and we are committed to compliance with all applicable federal, state, and local laws and regulations, including but not limited to laws and regulations related to nonprofit administration and governance, labor and employment, financial accountability, taxation, fundraising, trademark protection, and licensing.

As members of a board of directors of a nonprofit organization incorporated in the state of Indiana, NEC members do not need to be experts in the law but do need to familiarize themselves with the laws that apply to their service and are responsible for seeking the advice and knowledge needed to stay reasonably informed. Members are expected to complete annual orientation/training on the duties of nonprofit directors. More information on the duties of Indiana nonprofit directors may be found on Indiana's General Assembly website, Indiana Code Title 23, Article 17 - Nonprofit Corporations.

In addition to the basic duties that exist under the law, the NEC must:

- Promote a culture of integrity by making ethical decisions and reflecting our core values in its actions.
- Ensure that the National Organization conducts all communication, business, and transactions with honesty and transparency.
- Ensure that all ALA national policies are in writing, clearly articulated, officially adopted, regularly reviewed, fairly and consistently enforced, and effectively communicated to everyone governed by them.
- Periodically review the National Organization's structure, procedures, and programs, and determine whether any policies or practices should be changed to comply with applicable laws, ALA national policy and values, or general best practices.
- Attend annual NEC orientation, NEC training sessions, and all NEC meetings unless the absence is excused at the discretion of the National President.

#### b. Responsible Stewardship

Our success as an organization depends not just on the strength of our programs but on our ability to use our resources wisely. Theft, carelessness, and waste have a direct impact on our culture, our reputation, our integrity, and our ability to carry out our programs, so all NEC members are required to ensure that our assets are used efficiently, and only for legitimate purposes. Specifically, the NEC must ensure that:

- The resources of the organization are responsibly and prudently managed; and
- The organization has the capacity to carry out its programs effectively.

#### c. Openness and Disclosure

The ALA's reputation depends on maintaining trust with the public. For this reason, the NEC is responsible for ensuring that the National Organization provides comprehensive, timely, and appropriate information to the public, the media, and its members, and is responsive to reasonable requests for information, and that all information about the National Organization fully and honestly reflects the policies and the practices of the ALA.

#### d. Conflicts of Interest

As nonprofit board members, members of the NEC have a legal duty to act in the best interests of the ALA and to avoid conflicts of interest as detailed in our Conflict of Interest Policy. Evaluating whether a conflict of interest exists can be difficult, and may involve a number of considerations, which is why you are required to annually disclose all potential and actual conflicts of interest of which you are aware, disclose any time you become aware of a conflict, and abstain from voting on such matters.

#### e. Fundraising

The ALA deeply values its relationships with individual and corporate donors. As detailed in national policy, all NEC members are required to protect the privacy of ALA national donors, and to ensure that funds are always expended in a manner that is consistent with donor intent.

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

## **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 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 Executive Director, and thence referred to the Counsel General for his ruling and said ruling will be sent by the Executive Director 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.
5. The National Headquarters Executive Director shall make a National Headquarters organization chart available to the national officers and the NEC at the beginning of each administrative year.
6. Annual program reports to national chairmen are due May 15. The annual Department Impact Report is due to National Headquarters by June 1.
7. Members of the American Legion Auxiliary may use and distribute names and contact information of its membership for official use only within the American Legion Auxiliary.

## 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 seven (7) delegates; and one (1) additional delegate for each one thousand two hundred (1,200) members or major fraction thereof, whose current dues have been received by the National Treasurer 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, 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.
  - a) 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.

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 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, 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, Membership, National Security, 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 or 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 Executive Director.
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's pin adopted in 1930 shall be the official pin of the office of National President to be passed down from the outgoing national president to the incoming national president. The Past National President's pin, available from Legion Emblem Sales, shall be available for purchase only by Past National Presidents.

##### **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 should 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 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. The National Historian shall also be responsible for communicating to Departments the importance of keeping and preserving a written record and of collecting, categorizing, and preserving American Legion Auxiliary memorabilia.

## **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. Charter cancellations may be presented at any National Executive Committee meeting. Cancellations approved by the National Executive Committee shall become effective immediately.
6. 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.
7. 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.

8. 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.
9. 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.
10. The National President, National Vice President, National Secretary, National Treasurer, five (5) National Division Vice Presidents, and two (2) National Executive Committee persons who will be appointed annually by the National President 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.
11. The National Executive Committee may authorize and budget funds for the candidate(s) for national president to attend meetings with National Headquarters staff or The American Legion as necessary for planning the upcoming administrative year unless such meetings may be conducted remotely.
12. National Headquarters will include Alternate National Executive Committee members on all communications normally distributed to the National Executive Committee to better prepare the Alternate to act in the absence of the National Executive Committee member.

## **VI. POSITION OF THE EXECUTIVE DIRECTOR**

The Executive Director is responsible for:

1. Implementing the policies and directives of the National Executive Committee
2. Providing effective management of National Headquarters.
3. Hiring, disciplining, and terminating National Headquarters staff.
4. Leading the organization in a manner to accomplish the mission, vision, and strategic direction of the organization in conjunction with the board.
5. Signing all notes, agreements and other instruments made and entered into and on behalf of the organization, according to approved policies. Communicating and reporting to the National Executive Committee and other stakeholders on a consistent basis.
6. Other duties as assigned.

## **VII. 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 Risk & Compliance – there shall be the following national committees: Auxiliary Emergency Fund, Community Service, Education, American Legion Auxiliary



Girls Nation, Junior Activities, Leadership, Legislative, Poppy, and Public Relations. The overall purpose of each national committee is as specified in this section.

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 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; a vice chairman and one (1) member serving staggered two-year terms, one of whom shall be appointed each year to a two-year term, and a representative from each National Division who shall serve a one-year term. The vice chairman shall serve as the National Veterans Affairs Voluntary Service (VAVS) Representative, and the member shall serve as National VAVS Deputy Representative.

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, a vice chairman, and one committee member who shall serve as the Liaison to The Child Welfare Foundation and may be a Past National President, 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 a vice chairman, 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 a vice chairman, 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, a vice 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 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 vice chairman, both of whom shall serve a one-year term.

The purpose of the Constitution & Bylaws Committee 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.

**Risk & Compliance:** The Risk & Compliance 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. An additional member independent of the organization may be selected by the Risk & Compliance Committee from applicants with demonstrated experience in nonprofit risk and compliance, to serve not more than two (2) consecutive three year terms with voice but without vote. The National President shall appoint the chairman from among those ALA members who are not liaison members.

The Risk & Compliance Committee responsibilities are to:

1. review the integrity of financial statements and financial disclosures;
2. ensure compliance with legal and regulatory requirements;
3. engage the independent auditor and review and approve the annual financial audit and IRS Form 990;
4. oversee the organization's internal controls and risk-management procedures;
5. meet periodically with management and auditors to gain an understanding of the potential significant risks and exposures facing the organization; and propose needed internal controls to reduce risks.

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

**Education:** The Education Committee shall be comprised of a chairman serving a one-year term, a vice chairman and one (1) member serving staggered two-year terms, one of whom shall be appointed each year to a two-year term; plus, a representative from each National Division, all of whom shall serve a one-year term.

The purpose of the Education Committee is to promote quality education for children—especially for military children—and adults.

**American Legion Auxiliary Girls Nation:** The ALA Girls Nation Committee shall be comprised of a chairman, a vice 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 ALA Girls Nation Committee is to promote and provide an outstanding government-in-action learning

program for high school girls who have completed their junior year. The committee attends and actively participates in the execution of the week-long education program. Committee members need to be capable of meeting the physical and social demands of a week supervising high school girls.

**Junior Activities:** The Junior Activities Committee shall be comprised of a chairman and a vice 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 Junior Activities Committee is to inspire active participation in members aged 17 (seventeen) and under so they become engaging, productive members who will want to continue their American Legion Auxiliary membership into adulthood.

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

The purpose of the Legislative Committee is to provide information and assistance to American Legion Auxiliary members to advocate for the legislative agenda of The American Legion.

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

The purpose of the Poppy Committee is to educate ALA membership and the public on the significance of the poppy and the program's financial benefit for veterans, military, and their families.

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

The purpose of the Community Service Committee is to promote the American Legion Auxiliary's commitment to

making our communities better places to live by supporting local service projects.

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

**Auxiliary Emergency Fund:** The Auxiliary Emergency Fund (AEF) Committee shall be comprised of a chairman and a vice chairman, 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 as listed in the Auxiliary Emergency Fund Policy. A three (3) member review and processing committee shall consist of the Director of Finance, the Director of Development, and a staff member of The American Legion Children & Youth Commission.

The purpose of the AEF Committee is to raise funds for and promote knowledge about the Auxiliary Emergency Fund.

**Leadership:** The Leadership Committee shall be comprised of a chairman and a vice chairman, plus a representative from each National Division, all of whom shall serve a one-year term.

The purpose of the Leadership Committee is to better equip members to serve in leadership positions with confidence and skill.

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

The purpose of the Public Relations Committee is to establish and maintain a positive public image of the organization by encouraging ALA members to be visible in their communities through branding and informing the public about the mission of the organization.

## ***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.

**Ethical Conduct:** The National President must appoint an Ethical Conduct Committee. The committee shall be composed of six (6) members, each serving staggered three-year terms, no member serving more than two consecutive terms. The National President shall annually appoint a chairman from among the committee members who have served at least one (1) year. Committee members will be selected from applicants with demonstrated experience in risk assessment, conducting investigations, and must be independent from the NEC. To maintain independence, members may not serve on other national committees and will not attend national meetings unless required to report.

The purpose of the Ethical Conduct Committee is to review allegations of Code of Ethical Conduct violations by all national officers, national committee members and members of the NEC, regardless of voting rights, in a timely manner ensuring fundamental fairness, and make recommendations to the NEC.

7. Committees shall promote their programs in conjunction with corresponding American Legion commissions and committees. In-person committee meetings shall be approved in advance in the national budget.

## **VIII. 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.

## **IX. 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 Risk & Compliance Committee. A representative from the Foundation board of directors shall participate in meetings of the national Auxiliary Risk & Compliance Committee.

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.
4. The National Organization shall annually budget for and convene an ALA Girls State Directors Conference.

### **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.

## **X. 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 principle of fundamental fairness, which includes notice and an opportunity to be heard. 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, directors, and Department Executive Committee members. Such matters shall be determined according to fundamental fairness, which includes

notice and an opportunity to be heard, and shall be specified in the Department's governing documents, to include:

- a) questions 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.
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 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 to the American Legion Auxiliary governing documents adopted at National Executive Committee meetings and National Convention.

## **XI. 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. No person may, at any time, be a member of more than one Unit.
4. 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.

5. A member who is not subject to suspension or membership revocation under the principle of fundamental fairness which includes notice and an opportunity to be heard 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 the principle of fundamental fairness which includes notice and an opportunity to be heard shall be considered in good standing and the member shall be entitled to full membership rights, privileges, and benefits in the new Unit.

6. Membership eligibility through the service of a deceased veteran may be established by certification by the post adjutant or other post official of the deceased veteran's proof of military service. Joining online requires an affidavit of eligibility; the Unit may request a copy of the veteran's proof of military service. Eligibility for membership in a Unit without a post may be established by certification by the Department Adjutant.
7. A Unit member can challenge the membership eligibility of a current member or a person being considered for membership. Eligibility decisions by the Unit may be appealed to the Department Executive Committee which shall be the final authority.
8. 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 9(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 9 (a) and 9 (b).

9. A Legion Post has no authority to regulate a Unit and vice versa.
10. 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.

Disciplinary actions against members, including membership suspensions, are not appealable to the National Organization. All discipline must be imposed in accordance with the principle of fundamental fairness which includes notice and an opportunity to be heard. A Department may discipline a Unit for failure to discipline a member.

11. The National Organization may provide blanket insurance coverage for Unit members handling Unit funds in amounts as recommended by the national Risk & Compliance Committee and as approved by the National Treasurer. Participating Departments will be billed for Unit coverage by the National Organization.
12. When a Unit ceases to function or its charter has been 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.
13. A Unit whose charter has been canceled 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.



## **XII. 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, following the principle of fundamental fairness which includes notice and an opportunity to be heard, may discipline a Department or cancel the charter of a Department for any good and sufficient cause. The National President shall independently appoint a subcommittee of three (3) to five (5) members of the National Executive Committee to investigate and make written findings of facts and recommendations regarding the discipline of a Department. Within 60 days of its appointment, the subcommittee shall present its written findings and recommendations to the National Executive Committee. All discipline of a Department or cancellation of a Department's charter must be imposed in accordance with the principle of fundamental fairness. The action of the National Executive Committee upon such findings and recommendations shall be final.
3. The NEC may adopt additional procedures concerning a department's opportunity to be heard.

### **Unit Charters**

1. A properly executed Unit charter application shall include typewritten 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 may discipline a Unit or cancel the charter of a Unit for any good and sufficient cause.

All such actions must be imposed in accordance with the principle of fundamental fairness, which includes notice and the opportunity to be heard. The Department shall permanently keep a record of all disciplinary actions, communications, or meetings.

4. The Department Executive Committee may place a Unit on probation for a period not to exceed one year.
5. A Unit whose charter has been canceled 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.
  - a) The Unit shall provide by email a written appeal to the National Secretary, the Department President, and the Department Secretary that includes:
    - a reason why the NEC should grant the appeal
    - a chronology of events
    - supporting documentation in chronological order with original timestamps
    - a copy of the Unit's governing documents.
  - b) The National Secretary shall notify the National President of the appeal.
  - c) The Department shall provide by email to the National Secretary within two (2) weeks of receipt of the Unit's appeal:
    - a written summary justifying the cancellation of the Unit's charter
    - a copy of all records and actions with original timestamps regarding the probation of the Unit or cancellation of the Unit's charter
    - a chronology of events
    - a copy of the Department's governing documents.
  - d) The National President, as presiding officer of the National Executive Committee, shall independently appoint a special subcommittee of three (3) to five (5) members of the National Executive Committee to review the appeal. Unless there is a regularly

scheduled meeting, the National President shall call a special meeting of the National Executive Committee to be held within thirty (30) days of the formation of the special subcommittee, informing the Unit and Department of the meeting.

- e) The special subcommittee shall make written findings of facts and recommendations to the National Executive Committee.
6. The National Secretary shall inform both the Unit and the Department of the decision of the National Executive Committee, whose decision shall be final.

### **XIII. DUES AND ASSESSMENTS**

1. The National per capita dues shall be eighteen dollars (\$18.00) per annum for Senior members beginning in Fiscal Year (FY) 2024. National Junior member dues remain at two dollars and fifty cents (\$2.50) per annum. 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 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. Membership cards will reflect the most recent join date.

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.
6. The first dues renewal shall be mailed between September 1<sup>st</sup> and September 15. In order to allow Departments adequate time to process end of year dues payments, the second dues renewal notice shall be postmarked no later than February 1.

#### **XIV. 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 positions are solely honorary, courtesy positions; without formal or official recognition and 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.
3. Honorary National Junior officers may be elected to serve during the ensuing administrative year. Should there be no candidates for an office, the office will remain vacant.

**NATIONAL POLICIES  
OF THE  
AMERICAN LEGION  
AUXILIARY**

## American Legion Auxiliary

### NATIONAL POLICY

#### Accounting Principles Generally Accepted in The United States of America

Reviewed by: National Risk & Compliance Committee

Reviewed On: 02-01-2020

Approving Body: National Executive Committee

Date Approved: 02-22-2020

**Next Review Date: Fall 2023**

#### Policy Statement

It is the policy of the American Legion Auxiliary (ALA), a national public benefit 501 (c) (19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to provide contributors, creditors, management and other users of its financial statements with accurate, comparable, informative, and timely financial data. The ALA manages its records, maintains its books (bookkeeping), and prepares its financial statements in accordance with the accounting profession's published best practices and in compliance with accounting principles generally accepted in the United States of America (U.S. GAAP).

#### Policy

The American Legion Auxiliary National Headquarters shall manage its records, maintain its books (bookkeeping), and prepare its financial statements in accordance with the accounting profession's published best practices and in compliance with accounting principles generally accepted in the United States of America (U.S. GAAP).

The National Headquarters fiscal year shall be October 1 through September 30.

Date Revised	Description of Revision	Approved by
02-01-2020	Used IRS 501(c)(19) definition	Audit Committee
09-01-2021	AC renamed Risk & Compliance	National Convention
08-27-2022	Added fiscal year	NEC

## American Legion Auxiliary

### NATIONAL POLICY

#### Audit and Tax Filing

Reviewed by: National Risk & Compliance Committee Reviewed On: 02-01-2020

Approving Body: National Executive Committee Date Approved: 02-22-2020

**Next Review Date: Fall 2023**

#### Policy Statement

It is the policy of the American Legion Auxiliary (ALA), a national public benefit 501 (c) (19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, that an independent external audit of the consolidated financial statements of the American Legion Auxiliary and American Legion Auxiliary Foundation shall be completed annually, and that all required federal, state, and local tax filings are prepared accurately and filed in a timely manner.

#### Policy

1. An independent external auditing firm approved by the American Legion Auxiliary National Risk & Compliance Committee shall be engaged to conduct an annual audit of the consolidated financial statements for the American Legion Auxiliary and the American Legion Auxiliary Foundation.
2. The American Legion Auxiliary National Risk & Compliance Committee shall provide the consolidated financial statements and report from the external auditors for the American Legion Auxiliary and the American Legion Auxiliary Foundation annually to the American Legion Auxiliary National Finance Committee.
3. The American Legion Auxiliary National Risk & Compliance Committee shall provide the consolidated financial statements for the American Legion Auxiliary and the American Legion Auxiliary Foundation to the American Legion Auxiliary National Executive Committee (NEC) in the American Legion Auxiliary National Risk & Compliance Committee's annual report to the NEC.
4. The American Legion Auxiliary National Risk & Compliance Committee shall oversee and approve the required reports to the Internal Revenue Service (IRS Form 990 plus any and all federally required forms and reports) along with all required state and local annual tax filings. These reports shall be prepared by the external auditing firm and filed by American Legion Auxiliary National Headquarters accurately and in a timely manner

Date Revised	Description of Revision	Approved by
02-01-2020	Used IRS 501(c)(19) description; removed references to "National Headquarters" because this is a national organization policy	Audit Committee
09-01-2021	AC changed to Risk & Compliance	National Conv.

# American Legion Auxiliary

## NATIONAL POLICY

### Auxiliary Emergency Fund (AEF) Grants

Reviewed by: National Finance Committee

Reviewed On: 02/19/2021

Approving Body: National Executive Committee

Date Approved: 02/27/2021

**Next Review Date: Spring 2024**

#### Policy Statement

It is the policy of the American Legion Auxiliary (ALA), a national public benefit 501(c)(19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to provide temporary and emergency assistance to eligible members of the American Legion Auxiliary who have endured a significant financial setback as the result of an act of nature or personal crisis.

#### Policy

1. This fund was established by the 1969 bequest from the estate of Auxiliary member Helen Colby Small, which funds combined with donations to the AEF fund shall be used solely for AEF grants.
2. AEF grants provide temporary assistance to eligible members during a time of financial crisis when no other source of aid is readily available to pay for shelter, food, and utilities. Assistance will not be granted to pay medical expenses or credit card debt.
3. Funds may be used to provide emergency assistance to eligible Auxiliary members in areas devastated by a natural disaster, including flood, hurricane, tornado, earthquake, or other severe weather.
4. NHQ will send quarterly reports on grants awarded to department secretaries and presidents.
5. Eligible Auxiliary members include those members who have maintained ALA membership for three (3) consecutive years (the current year and immediate past two years).
6. Grants are awarded to a grantee one time in a 12- month period.
7. The maximum grant award is \$2,400.
8. The applicant for assistance must have exhausted all other financial options and provide proof of "past due" bills.
9. A three (3) member review and processing committee shall consist of the Director of Finance, the Director of Development, and a staff member of The American Legion Children & Youth Division.
10. The application transmission process and information required for granting assistance shall be determined by the three-member review and processing committee, with the National AEF Chairman acting in an advisory capacity.

Date Revised	Description of Revision	Approved by
Policy Established		NEC 02/27/2021



## American Legion Auxiliary

### NATIONAL POLICY

#### Business Credit Card

Reviewed by: National Finance Committee

Reviewed On: 02-21-2020

Approving Body: National Executive Committee

Date Approved: 08-29-2020

**Next Review Date: Spring 2022**

#### Policy Statement

It is the policy of the American Legion Auxiliary (ALA), a national public benefit 501(c)(19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to provide compensated officers and certain American Legion Auxiliary National Headquarters (ALA NHQ) staff with a business credit card as an efficient and alternative means of payment for approved expenses, to improve managerial reporting related to purchases, and to improve efficiency and reduce costs of payable processing.

#### Policy

1. ALA NHQ business credit cards shall be used solely for Auxiliary business in accordance with established purchasing and travel policies and within the confines of the National Headquarters budget approved by the National Executive Committee.
2. ALA NHQ business credit cards shall be issued to the National President, National Vice President, Executive Director and Director of Finance. The Executive Director may authorize the issuance of business credit cards to certain ALA NHQ employees.
3. The Executive Director is responsible for reviewing and setting limits on ALA NHQ staff- issued credit cards.
4. ALA NHQ business credit cards shall be surrendered immediately to the Executive Director or Director of Finance upon the expiration of the compensated officer's term, upon termination of employment, or at other times as may be required.
5. Cash advances on ALA NHQ business credit cards are strictly prohibited.
6. Unauthorized use of ALA NHQ business credit cards by anyone other than the cardholder is prohibited.
7. Cardholders issued an ALA NHQ business credit card shall be responsible for safeguarding the business credit card and the card's account number, maintaining appropriate documentation of business transactions and reconciling the statement on a monthly basis. A National Officer may designate an ALA NHQ staff member to reconcile the business credit card statement.
8. Cardholders who fail to adhere to the ALA business credit card policy and procedures may be subject to disciplinary action as outlined in the ALA Business Credit Card Agreement.
9. Cardholders shall be financially responsible for costs from abuse causing late charges and/or over limit charges.

Date Revised	Description of Revision	Approved by
02-21-2020	Policy Statement – consistent presentation of ALA policy not National Headquarters; remove “personnel” and add “staff”	Finance Committee
02-21-2020	Policy Item 2 – removed National Secretary and National Treasurer; add Executive Director and Director of Finance	Finance Committee
02-21-2020	Add new policy in position as Item 3 – ED responsible for reviewing and setting limits for cards issued	Finance Committee
02-21-2020	Item 4 – remove “shall be”; add “are strictly” prohibited	Finance Committee
02-21-2020	Item 7 – remove “employee” and reference correct document title	Finance Committee

# American Legion Auxiliary

## NATIONAL POLICY

### Complimentary Ticket and Registration

Reviewed by: National Finance Committee

Reviewed On: 02-21-2020

Approving Body: National Executive Committee

Date Approved: 08-29-2020

**Next Review Date: Fall 2022**

#### Policy Statement

It is the policy of the American Legion Auxiliary (ALA), a national public benefit 501 (c) (19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to provide complimentary tickets and registrations during various American Legion Auxiliary events.

#### Policy

1. The Executive Director shall submit complimentary registration and ticket recommendations to the National President for her approval 90 days prior to event.
2. Funds shall be budgeted for anticipated complimentary expenses annually.
3. Any authorized volunteer receiving a complimentary ticket and a meal allowance shall have the designated amount for the meal provided deducted from the meal allowance portion of their per diem.
4. Past National Presidents attending States Dinner shall receive complimentary tickets.
5. Participating staff, as assigned by the Executive Director, shall receive complimentary tickets for events to which they are assigned. A staff member receiving a complimentary ticket shall have the designated amount for the meal provided deducted from the meal allowance portion of their per diem.
6. Registrations for National Officers and National Chairmen shall be complimentary for events where the National President and Executive Director request attendance.

Date Revised	Description of Revision	Approved by
02-21-2020	Item 6 – remove specific list of events; add "events where the NP and ED request attendance"	Finance Committee

## American Legion Auxiliary

### NATIONAL POLICY

#### Confidentiality

Reviewed by: National Risk & Compliance Committee

Reviewed On: 06-30-2020

Approving Body: National Executive Committee

Date Approved: 08-29-2020

**Next Review Date: Fall 2023**

#### Policy Statement

It is the policy of the American Legion Auxiliary (ALA), a national public benefit 501 (c) (19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to maintain the confidentiality of sensitive information and to take reasonable steps to protect and secure confidential information that is pertinent to the governance and management of the organization in order to foster a culture for ethical decision making and to protect the organization from harm.

#### Policy Definitions

**Employee:** In this context, Employee is defined as any individual who receives compensation, either full or part time, from the ALA. The term also includes any consultant or independent contractor who provides services to the ALA through a contractual arrangement with the ALA.

**Volunteers:** In this context, Volunteers are defined as national officers, national board members, members of a committee with governing board delegated powers, national chairs and national appointees providing non-compensated services to the ALA.

#### Policy

In the course of their duties, employees and volunteers will have access to information that, if disclosed, could harm the organization, its business relationships, or an individual.

1. Employees and volunteers with the American Legion Auxiliary shall maintain the confidentiality of any information concerning legal, sensitive business, and personnel matters.
2. Employees and volunteers shall not disclose information about donors and donations without express permission, nor disclose information concerning personnel, sensitive business matters, and legal matters that may directly or inadvertently become known to the national officers, board members, committee members, volunteers, executives, and staff.
3. Employees and volunteers shall exercise good judgment and care at all times to avoid unauthorized or improper disclosures of confidential information.

Before an employee or volunteer can assume the responsibilities of their position, they shall be required to sign the ALA Confidentiality Agreement annually.

This policy is not intended to prevent disclosure when disclosure is required by law or a court of law.

Date Revised	Description of Revision	Approved by
02-21-2020	ALA National Finance Committee agreed with recommendation to move the oversight to the ALA National Audit Committee	NEC
06-30-2020	ALA National Audit Committee initial review and acceptance to present for adoption	Audit Committee
09-02-2021	AC changed to Risk & Compliance Committee	National Conv.

# American Legion Auxiliary

## NATIONAL POLICY

### Conflict of Interest

Reviewed by: National Risk & Compliance Committee

Reviewed On: 02-01-2020

Approving Body: National Executive Committee

Date Approved: 02-22-2020

**Next Review Date: Fall 2023**

### Policy Statement

It is the national policy of the American Legion Auxiliary (ALA), a national public benefit 501 (c) (19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to protect the American Legion Auxiliary's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of members of the governing board, national officers, national chairs, members of a committee with governing board delegated powers, national appointees, and National Headquarters staff, or that might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

### Policy Definitions

**Interested Person:** An interested person is any member of the governing board, national officer, national chair, member of a committee with governing board delegated powers, national appointee, and National Headquarters staff who has a direct or indirect financial interest, as defined below.

**Financial Interest:** A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

- a. an ownership or investment interest in any entity with which the ALA has a transaction or arrangement,
- b. a compensation arrangement with the ALA or with any entity or individual with which the ALA has a transaction or arrangement, or
- c. a potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the ALA is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are of a material nature. A financial interest is not necessarily a conflict of interest. Under the American Legion Auxiliary National Conflict of Interest Procedures, a person with a financial interest may have a conflict of interest only if the appropriate governing board or committee so determines.

### Policy

#### 1. Records of Proceedings

The minutes of the governing board and all committees with board delegated powers shall contain:

- a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing board's or committee's decision as to whether a conflict of interest in fact existed.

- b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

**2. Compensation**

A voting member of the governing board who receives compensation, directly or indirectly, from the ALA for services is precluded from voting on matters pertaining to that member’s compensation.

A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the ALA for services is precluded from voting on matters pertaining to that member’s compensation.

Voting members of the governing board or any committee whose jurisdiction includes compensation matters and who receive compensation, directly or indirectly, from the ALA, either individually or collectively, are not prohibited from providing information to any committee regarding compensation.

**3. Annual Statements**

Each interested person can assume the responsibilities of their position when they have signed an annual statement affirming such person:

- a. has received a copy of the Conflict of Interest Policy,
- b. has read and understands the policy,
- c. agrees to comply with the policy, disclose any known conflicts, and
- d. understands that the ALA is a charitable organization and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

**4. Periodic Reviews**

To ensure the ALA operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- a. whether compensation arrangements and benefits are reasonable, based on competent survey information and the result of arm’s length bargaining.
- b. whether partnerships, joint ventures, and arrangements with management organizations conform to the ALA’s written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

**5. Use of External Expertise**

When conducting the periodic reviews as provided for in Section 4, the ALA may consult or engage persons or businesses with professional expertise. Use of external expertise does not relieve the governing board of its responsibility for ensuring said periodic reviews are conducted.

Date Revised	Description of Revision	Approved by
02-01-2020	IRS 501(c)(19) definition; changed “not insubstantial” to “of a material nature”; “policies” to “policy”; required to be signed before assuming duties of position; add “disclose any known conflict”;	Audit Committee
09-01-2021	AC changed to Risk & Compliance Committee	National Conv.

# American Legion Auxiliary

## NATIONAL POLICY

### Contract Approval and Signature Authority

Reviewed by: National Finance Committee

Reviewed On: 02/18/2022

Approving Body: National Executive Committee

Date Approved: 03/05/2022

**Next Review Date: Spring 2025**

### Policy Statement

It is the policy of the American Legion Auxiliary (ALA), a national public benefit 501 (c) (19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to authorize appropriate ALA National Officers and the Executive Director to execute and enter into agreements on its behalf in compliance with the corporate laws of the State of Indiana and in keeping with corporate governance standards and acceptable business practices.

### Policy

1. The National Secretary shall have oversight and the Executive Director shall have authority to execute contracts, agreements, and memorandums of understanding on behalf of the American Legion Auxiliary for goods and services consistent with matters within the approved American Legion Auxiliary National Headquarters budget.
2. The National Secretary and the Executive Director shall have the authority to execute agreements, and memorandums of understanding for matters that that extend beyond the budget year in order to receive cost savings, provided that the terms of the instrument is consistent with matters within the approved ALA national budget, contracted amount is no greater than \$150,000 and a no-penalty termination clause is contained in the contract. If these conditions cannot be met, then an administrative review will be done by the National Secretary and/or Finance Committee before the contract is signed.
3. The Executive Director shall ensure that all contracts, agreements and memorandums of understanding bear legal and authenticated original signatures.
4. The Executive Director, with oversight by the National Secretary, shall make certain the organization maintain all fully executed signed contracts, agreements, and memorandums of understanding, clearly identified as such.

Date Revised	Description of Revision	Approved by
02-21-2020	Policy Statement – inclusion of Executive Director as appropriate authority	Finance Committee
02-21-2020	Policy – include Executive Director, consistent references	Finance Committee
02-18-2022	Policy – revise policy to include thresholds for Executive Director approval and criteria for administrative review	Finance Committee



# American Legion Auxiliary

## NATIONAL POLICY

### Disbursement of Funds

Reviewed by: National Finance Committee

Reviewed On: 02-21-2020

Approving Body: National Executive Committee

Date Approved: 08-29-2020

**Next Review Date: Spring 2023**

### Policy Statement

It is the policy of the American Legion Auxiliary (ALA), a national public benefit 501(c)(19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to maintain check signing and electronic disbursement of funds (ACH/EFT/Transfers) authority parameters as part of its overall system of financial internal controls.

### Policy

1. Checks written manually in the amount of less than \$50,000 shall require a single signature of the National Treasurer, Executive Director or Director of Finance.
2. Checks generated via the automated accounting system in the amount of less than \$50,000 for approved expenditures shall require the automated, and secured, signature of the National Treasurer.
3. Electronic disbursement of funds via the automated accounting system for approved expenditures in the amount of less than \$50,000 shall require written approval of the Executive Director or a designated director.
4. Checks written manually in the amount of \$50,000 or more for approved expenditures shall require two manual signatures. One of the signatures must always be that of the National Treasurer, Executive Director or the Director of Finance. The second signature may be obtained from a designated director, as authorized by the National Treasurer.
5. Checks generated via the automated accounting system in the amount of \$50,000 or more shall require two signatures. One of the signatures will be the automated and secured signature of the National Treasurer. The second signature may be obtained from the Executive Director or a designated director with signing authority, as authorized by the National Treasurer.
6. Electronic disbursement of funds via the automated accounting system for approved disbursements in the amount of more than \$50,000 shall require written approval of the Executive Director and the written approval of the designated director.

Date Revised	Description of Revision	Approved by
02-21-2020	Policy Statement – include electronic disbursements parameters in financial internal controls	Finance Committee
02-21-2020	Policy - incorporate Executive Director and Director of Finance and parameters of signatures	Finance Committee
02-21-2020	Incorporate financial controls for electronic disbursements, thresholds and level of approvals	Finance Committee

## American Legion Auxiliary

### NATIONAL POLICY

#### Electronic Communications, Internet, and Social Media Policy

Reviewed by: National Risk & Compliance Committee

Reviewed On: 02-01-2020

Approving Body: National Executive Committee

Date Approved: 02-22-2020

**Next Review Date: Spring 2023**

#### Policy Statement

It is the policy of the American Legion Auxiliary (ALA), a national public benefit 501(c)(19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to have requirements and standards in place for communication conveyed electronically under the auspices of American Legion Auxiliary, including via the Internet and social media, that protect the name and trademarks of the American Legion Auxiliary and the reputation of the organization at all levels – national, department, intermediate body, unit, subsidiary, and member.

The American Legion Auxiliary encourages and promotes participation in electronic communications, social media, and Internet representation of the ALA in an ethical manner that increases awareness about the American Legion Auxiliary and that positively represents the American Legion Auxiliary brand and The American Legion Family brand.

The purpose of this policy is to provide guidance to protect the members, entities, name, emblem, and trademarks of the American Legion Auxiliary. To this purpose, this policy a) specifies the permissions, and administrative rights required for using the name and trademarks of the American Legion Auxiliary on electronic communications, websites, and social media accounts, blogs, and other emerging forms of electronic communications; and b) defines the parameters, monitoring, sanctions, and expectations for using electronic means of communications, including websites and social media, to enhance mission outreach and the reputation of the organization at all levels through appropriate use of message content and delivery. References to social media accounts in this policy include, but are not limited to, Facebook, Twitter, YouTube, Instagram, Pinterest, and LinkedIn.

Policy compliance shall be in accordance with applicable patent, trademark, and copyright laws. The policies herein apply to all levels of the organization, from the national level to individual members.

#### Policy

##### Permissions

1. In accordance with the provisions contained within this policy, an entity chartered by the ALA already has permission to use the name, emblem, and trademarks of the American Legion Auxiliary and may use the name, emblem, trademarks to establish a presence on the Internet, in social media, and other electronic communication, including but not limited to websites, Internet-based tools, accounts, Facebook pages and groups, Twitter accounts, and mobile device applications.

2. Departments, department-authorized intermediate bodies, and units have approval to use the name American Legion Auxiliary, the emblem, and ALA trademarks on electronic-based communications by and from the department, department-authorized intermediate body, and unit. Therefore, in accordance with this policy, approval to use the name, emblem and trademarks of the ALA is deemed granted to departments and units as chartered entities of the ALA and to department-authorized intermediate bodies and subsidiaries, and no additional approval from the National Organization is required.

### **Administrative Rights**

1. All national-level Internet-based accounts, social media accounts, websites, and electronic blogs that utilize the name and/or trademarks of the American Legion Auxiliary must have shared administrative rights with ALA National Headquarters. Such national accounts include those established and administered by national officers, National Executive Committee members, national governing board members, national subsidiaries, national chairs, and national committee members.
2. All department-level, intermediate-body level, unit level, and department and unit subsidiary Internet-based accounts, social media accounts, websites, and electronic blogs that utilize the name and/or trademarks of the American Legion Auxiliary are advised to have more than one ALA entity representative with administrative rights and/or login information.
3. All Internet-based accounts, social media accounts, websites, and electronic blogs that utilize the name and/or trademarks of the American Legion Auxiliary must obey the Terms of Service of any social media platform employed.
4. Departments and units that share websites and other electronic media with their American Legion counterparts are advised to establish policies regarding permissions and shared administrative rights.

### **Content**

1. Websites, electronic communications, Internet-based accounts, electronic blogs, and social media accounts must clearly, accurately, and completely identify the ALA entity represented (e.g., the American Legion Auxiliary department, intermediate body, unit, subsidiary, program).
2. Information posted or conveyed electronically via Internet-based accounts must be relevant to the ALA entity and its programs and must safeguard the integrity of the ALA and the privacy of individuals in keeping with all applicable federal, state, and local laws and regulations.
3. Content considered relevant under this policy includes proper and suitable postings about members, ALA meetings, ALA mission-related programming events and fundraising activities, and events or fundraisers that benefit the American Legion Auxiliary.
4. Content communicated via Internet-based accounts, social media, websites, and electronic blogs cannot divulge private information about an individual, including a person's contact information or medical information without express permission. Posting private information about others can be a criminal offense.
5. Any ALA entity representative or individual communicating about ALA-related matters via Internet-based accounts, social media, websites, and electronic

blogs must respect and abide by all relevant laws, including copyright and defamation laws. An ALA entity representative or individual is personally responsible for any content so published, regardless of whether or not the message was posted under the intention of anonymity.

6. Any ALA entity representative or individual communicating about ALA-related matters via Internet-based accounts, social media, websites, and electronic blogs is responsible for understanding that, once published, content is immediately public and considered permanently available to others; an entity representative or individual may be held responsible for any consequences thereof.
7. The promotion or conducting of charity gaming via social media, websites, and electronic blogs is prohibited in many states; state laws prevail, and individuals posting information representing the ALA are responsible for knowing and abiding by all applicable charity gaming laws and government regulations.
8. ALA Internet-based accounts, websites, electronic communications, blogs, and social media cannot be used to convey information in support of political parties, political candidates, or sectarian viewpoints; the American Legion Auxiliary is a non-partisan and non-sectarian organization.
9. Administrators of ALA websites, electronic communications, Internet-based accounts, blogs and social media accounts are forbidden from using ALA accounts to promote personal projects, goals or interests outside of ALA programs and business.

## **Monitoring**

1. The ALA will publish within the *American Legion Auxiliary Branding Guide* appropriate protocols for establishing American Legion Auxiliary social media and Web presence in keeping with applicable laws, government regulations, and industry best practices.
2. The ALA will reasonably monitor electronic communications that represent the ALA for threatening or dangerous content, and the electronic media account administrator reserves the authority to remove postings that violate laws, regulations, or ALA policy.
3. The ALA will maintain appropriate records of utilization in accordance with applicable laws, government regulations, and industry best practices.

## **Sanctions**

Any electronic, Internet-based, website or social media presence using the name, emblem, or trademarks of American Legion Auxiliary that fails to comply with this policy is prohibited. Any cost for enforcement of laws or judgments relative to this policy shall be sought from the offending entity or individual representative.

## **Guidelines**

1. The American Legion Auxiliary National Organization will publish and maintain current guidelines within the *American Legion Auxiliary Branding Guide* that include appropriate protocols regarding establishing and conducting American Legion Auxiliary social media and Web presence in keeping with applicable laws, government regulations, and industry best practices.

2. ALA electronic media guidelines will address appropriate participation in electronic communications, social media, and Internet representation of the American Legion Auxiliary, both personally as well as when one is acting in an official capacity on behalf of the ALA.
3. Guidelines will reflect and promote the importance of the ALA's role and opportunities in social media and Internet communities for conveying the organization's identity and the organization's mission and relevance – to serve veterans, military, and their families.
4. Guidelines will reflect the importance of ALA members and entities joining in conversations that take place online about the American Legion Auxiliary, and entities and members have an ethical responsibility to ensure such online conversations accurately represent the ALA and share the positive spirit of the ALA and Legion Family brand so the American Legion Auxiliary can fulfill its mission for future generations.
5. The *American Legion Auxiliary Branding Guide* will include details regarding usage of the American Legion Auxiliary emblem, name, and trademarks, and written and design elements reflecting same.
6. The *American Legion Auxiliary Branding Guide* will be maintained for free download to members at the ALA national website [www.ALAforVeterans.org](http://www.ALAforVeterans.org).

## **Addendum**

### **Policy Background and Rationale**

With an ever-increasing move from traditional media to electronic platforms, many organizations and individuals are turning to social media for word-of-mouth communication and marketing because of its ease of use and instantaneous results. Because of the tremendous growth in Internet-based communication media, countless conversations take place online daily about The American Legion Auxiliary (ALA). We want and encourage our organization's members and entities to join those conversations, accurately representing our organization and sharing the positive spirit of our brand so that the American Legion Auxiliary is here to fulfill our mission for future generations.

This electronic media policy is intended to guide your participation in electronic communications, social media, and Internet representation of the American Legion Auxiliary, both personally as well as when you are acting in an official capacity on behalf of the ALA. This policy was developed collaboratively with representatives of The American Legion and Counsel General. The purpose of this policy is simply to protect the organization as well as the individuals who are using electronic media to increase awareness about the value of the ALA.

In keeping with a strategic plan, it is critical we always remember who we are and that what we do – serve veterans, the military, and their families – can be enhanced greatly by sharing why we matter through responsible engagement in social media and Internet communities.

To grow and strengthen our entire organization, the ALA needs to take advantage of the fact that more people are communicating via websites and social media, and we want the ALA's electronic presence to be positive and up to the highest standards. It is important we develop and maintain a cohesive, true and proper American Legion Auxiliary image. This policy is about caring for our brand and our reputation; it is for everyone's protection – individual members as well as the organization.

If you have any questions about this policy, please contact the ALA National Headquarters Communications Division at (317) 569-4500, ALAHQ@ALAFforVeterans.org, or 3450 Founders Road, Indianapolis, IN 46268.

Date Revised	Description of Revision	Approved by
02-01-2020	IRS 501(c)(19) description; "Policies" to "Policy"; deleted reference to "women's" organization and refined description of organization; added to medical information "without express permission" deleted reference to the 19-20 particular strategic plan; changed "fun" to "positive"; updated address	Audit Committee
09-01-2021	AC changed to Risk & Compliance	National Conv

# American Legion Auxiliary

## NATIONAL POLICY

### Employee and Volunteer Background Checks

Reviewed by: National Risk & Compliance Committee

Reviewed On: 02/03/2021

Approving Body: National Executive Committee

Date Approved: 02/27/2021

**Next Review Date: Fall 2024**

#### Policy Statement

It is the policy of the American Legion Auxiliary (ALA), a national public benefit 501 (c) (19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to provide protection of the American Legion Auxiliary's interest, its assets, reputation, and the communities served by conducting background checks of the employees and volunteers that serve in leadership and administrative roles and have direct and repetitive access to vulnerable populations. This policy is intended to supplement but not replace any applicable state and federal laws.

#### Policy Definitions

**Employee:** In this context, Employee is defined as any individual who is a prospect for a national officer candidacy of National Vice President/National President, a prospect for employment, an employee considered for a promotion to a management position, and/or others employed that will receive or receives compensation, either full or part time, from the ALA.

**Volunteers:** In this context, Volunteers are defined as national officers, not defined above, and volunteers who have direct repetitive contact with children participating in our programs and/or vulnerable populations in the communities that we serve.

#### Policy

Prior to conducting duties and/or engaging in service, employees and volunteers will have access to assets and/or vulnerable populations while employed or engaged as a representative of the American Legion Auxiliary (ALA). The background check requirement will be executed in a fair, consistent and non-discriminatory manner, complying with applicable state and federal laws and guidelines, including the Fair Credit Reporting Act and the Equal Employment Opportunities Commission. Such checks will be conducted at the commencement of employment or volunteer service and thereafter at regular intervals based on the duties and/or term of service in the organization. The

1. Prospective employees or candidates considered for promotion into management positions with the ALA will have the required background check conducted prior to employment or prior to the assumption of responsibilities.
2. ALA Management Leadership employees charged with the responsibility of the organization's assets will have a background check conducted/renewed every three years on (or about) the anniversary of their employment.
3. Volunteers with the ALA will have a background check conducted/renewed every two years prior to commencement of their service term when serving in the following roles:

- a. a leadership and/or administrative role charged with oversight of the organization's assets, or (Finance Committee, Risk & Compliance Committee)
  - b. the volunteer service requires regular and repetitive contact with a constituent of a vulnerable population. (ALA Jr. Activities, ALA GN and NVCAF)
4. It is a priority of the ALA for the safety of the members, employees, volunteers, and the communities served that certain actions and convictions for certain crimes serve to automatically disqualify applicants for employment or volunteer service.
- a. refusal to consent to a required background check;
  - b. false statements in connection with the background check;
  - c. is registered or required to be registered on a sex offender registry;
  - d. has a conviction of a felony or has been convicted within the past 5 years of a misdemeanor theft, violent crimes, drug-related crimes, sex offenses and serious motor vehicle offenses.

Background check findings shall be reviewed in a fair, impartial and confidential manner. The review of and determination of negative information results that may have a direct impact with the applicant's ability to fulfill the duties with competence and integrity, or that might impact safety, will be evaluated on an individual basis to determine whether a finding should be excluded from consideration.

The ALA will use a third-party agency to conduct the background checks. Information collected by the agency will be determined by the responsibilities of the position and can include past employment, education, finances, and criminal history.

If the results of the background check are negative, the ALA will inform the individual before taking adverse action based on the results, provide a Statement of Consumer Rights from the Federal Trade Commission, offer the individual the opportunity to review a copy of the report, and advise them of their rights to dispute inaccurate information. There will be a granted reasonable time to dispute the information (approximately three to five days).

Date Revised	Description of Revision	Approved by
02-03-2021	Policy draft finalized	Audit Committee
09-01-2021	AC changed to Risk & Compliance	Natl Conv.



# American Legion Auxiliary

## NATIONAL POLICY

### Endorsement

Reviewed by: National Finance Committee

Reviewed On: 02-21-2020

Approving Body: National Executive Committee

Date Approved: 08-29-2020

**Next Review Date: Fall 2022**

### Policy Statement

It is the national policy of the American Legion Auxiliary (ALA), a national public benefit 501 (c) (19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to not endorse products, services, programs or activities of any other organization or to allow any products, services, programs or activities other than member benefit providers to use ALA national trademarks, service marks, name, and intellectual property (a.k.a "Marks").

### Policy Definitions

**Endorsement** is defined as the expressed approval or support of a product or service, typically conveyed through advertising. The Federal Trade Commission (FTC) guidelines define endorsement as any advertising message that consumers are likely to believe reflects the opinion, belief, findings, or experience of a party other than the sponsoring advertiser.

An endorsement is an advertising and marketing term regulated by the FTC. The term is specific and not to be confused with support for ALA partnerships, agreements, or collaborations with other organizations relative to mission outreach.

**ALA national trademarks, service marks, name, and intellectual property (a.k.a "Marks")** are defined as, but not limited to, all emblems, logos, symbols and artwork that are in any way manifestations of the ALA organization or indicators of the organizational entity. The Marks are the corporate property of the American Legion, entrusted to the National Secretary and Executive Director for safeguarding.

Date Revised	Description of Revision	Approved by
02-21-2020		Finance Committee

## American Legion Auxiliary

### NATIONAL POLICY

#### Ethical Conduct Review Policy

Reviewed by: National Risk & Compliance Committee Reviewed On: \_\_\_\_\_

Approving Body: National Executive Committee Date Approved: 8-28-2022

**Next Review Date: 2023**

#### Policy Statement

It is the policy of the American Legion Auxiliary (ALA), a national public benefit 501 (c) (19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to investigate allegations of violations by national leadership of the Code of Ethical Conduct in a timely manner ensuring fundamental fairness.

#### Policy

All national leadership (national officers, Past National Presidents, National Executive Committee members from all departments, and national committee appointees) are expected to uphold and follow the governing documents of the ALA: the National Constitution, Bylaws, and Standing Rules as well as all national policies and procedures. Conduct that is a violation of its governing documents or detrimental to the best interests of the organization may be referred to the Ethical Conduct Committee for review. The Code of Ethical Conduct lists considerations for possible Code violations. Following are examples of types of violations:

1. Violating bylaws, standing rules, or other policies or procedures including but not limited to the Conflict of Interest Policy or Whistleblower Protection Policy; violations of federal, state, or local laws that result in a conviction; or conduct that presents potential liability risk, reputational risk, or hinders the mission of the ALA National Organization;
2. Falsifying documents; conviction of offenses related to fraud or embezzlement;
3. Repeated pattern of violations.

#### Receiving and Evaluating a Complaint

1. The written complaint will be forwarded to the Ethical Conduct Committee or to the ALA National President if it involves a member of the Committee.
2. The Committee Chair or President will promptly acknowledge receipt of the complaint and forward it to a Complaint Review Subcommittee. The Subcommittee shall consist of not less than three members of the Ethical

Conduct Committee, its composition to be determined by the Ethical Conduct Committee itself based on member availability, geographic location of the complaint, and any conflicts of interest.

3. The members of the Complaint Review Subcommittee will select a chair/point of contact to lead the review of the complaint. The Subcommittee will evaluate the complaint and make a determination within 14 days of receipt of the complaint as to whether the allegation, if true, would be a violation of the Code of Ethical Conduct. That determination may require additional contact with the complainant.
4. During this initial evaluation, the Subcommittee must also decide:
  - a. whether any conflict of interest exists or if the allegation requires an investigation by law enforcement or subject matter expert such as an attorney or external auditor;
  - b. whether to recommend that the NEC implement an immediate leave of absence from national committees and/or national activities pending outcome of an investigation for any suspected violation which would be considered worthy of a recommendation to the member's Unit for expulsion from membership. If a leave of absence from national committees and/or national activities is recommended, the Ethical Conduct Committee may also recommend that the NEC issue recommendations to the respective Department and Unit to suspend the member from activities. Department or Unit bylaws would need to have a provision for suspending a member.
5. If the violation as alleged would not constitute a violation of the Code of Ethical Conduct, then the complaint will be logged and the complainant will be sent a notification letter that no further action will be taken. The Committee will issue a summary report of complaints quarterly to the Risk & Compliance Committee.
6. If the violation as alleged would constitute a violation of the Code of Ethical Conduct, the Risk & Compliance Committee will be immediately notified and notice of the complaint will be sent via certified mail to the alleged violator who will be given two weeks from the date of receipt to respond.
7. If the alleged violator takes responsibility for the alleged violation, the Complaint Review Subcommittee may proceed to Step 12.

### **Investigation Process**

8. If the allegation requires additional investigation, that investigation will commence. The investigation should be conducted with as much due speed as possible while allowing for proper investigation, with a report submitted to the Ethical Conduct Committee within 60 days if possible. Resignation from membership does not prevent the investigation from proceeding if in the best interest of the organization.

9. The Subcommittee shall then begin to collect all preliminary evidence:
  - a. Witness contact information
  - b. Examples of relevant physical evidence (if available and authorized by any party involved)
    - i. Photographs or video footage
    - ii. Medical records
    - iii. Financial records
    - iv. Police reports
    - v. Incident reports
    - vi. Court documents
  - c. Witness Statements – identify whether the witness is a complainant’s witness, alleged violator’s witness or neutral/independent.
    - i. Witnesses will be contacted by phone, then email, then in writing by tracked mail but not requiring a signature. Failure of witnesses to provide statements within two weeks of initial contact may prevent progress in an investigation.
    - ii. The Subcommittee will be considerate of time differences when conducting interviews virtually.
    - iii. The first preference is a recorded Zoom (video) conference or phone call with the permission of the witness. If not, notes will be taken.
    - iv. Group interviews should not be conducted.
    - v. Witness statements may be challenged based upon the available evidence.
10. Requesting additional information from the alleged violator:
  - a. The Complaint Review Subcommittee reserves the right to request an interview.
  - b. Participation in the investigation is voluntary; however, failure to cooperate fully and truthfully may be its own violation of the Code of Ethical Conduct.
  - c. The alleged violator will be allowed to submit written evidence or provide witness contact information to the Complaint Review Subcommittee.
11. Authentication – where evidence is being supplied by a party involved in the investigation, that evidence must be authenticated by time stamp, etc. Attempts at obtaining physical evidence should be initiated by the Complaint Review Subcommittee Chair/point of contact and should be fully documented if available.

12. Once all evidence and statements have been gathered, a member of the Complaint Review Subcommittee shall then be responsible for drafting a report documenting their findings, which shall then be reviewed by the whole Complaint Review Subcommittee prior to becoming final.

### **Review and Recommendation Process**

1. The Ethical Conduct Committee will review the report of the Complaint Review Subcommittee and will determine and make written recommendations to the NEC via the National President within 14 days of receipt of the report.
2. Findings and recommended response levels will be based on an assessment of all relevant factors. Depending on the severity of the conduct violation, the Ethical Conduct Committee may, in its discretion, skip steps in its recommended response levels. Egregious violations may warrant a recommendation of immediate termination of service on the NEC or national committee. The Ethical Conduct Committee will propose recommendations to the NEC, which may include but are not limited to the following examples:
  - a. Verbal counseling (documented for tracking purposes)
  - b. Written or verbal apology
  - c. Written or verbal censure from the NEC
  - d. Probation with corrective terms that encourage restorative justice, for example, additional training
  - e. Suspension from participation in or exercising voting rights on national committees and/or national activities for a defined period of time in compliance with applicable state laws
  - f. Termination of NEC membership, national appointment, and/or national elected position as applicable. Once terminated for cause from the NEC, the member is ineligible to hold future positions of national leadership
  - g. Recommendation to Unit for expulsion/termination of membership\*

\*The Committee may recommend to the NEC that Options “f” and “g” be implemented simultaneously.

3. Upon receipt of the report of the Ethical Conduct Committee, the National President will call a special meeting of the NEC to be held within two weeks in executive session to vote on the recommendations of the committee. A majority vote is required for adopting options “a” through “d”; a two-thirds vote is required to adopt options “e” through “g”.

4. The National Secretary shall notify the complainant, the alleged violator, the Risk & Compliance Committee, and the Ethical Conduct Committee of the determination of the NEC, as well as make any notifications of recommendations to the Department or Unit.

Date Revised	Description of Revision	Approved by
Est 08/02/2022	Policy draft finalized	Code of Ethical Conduct Review Special Committee
09/01/2022	Adopted by NEC	NEC

# American Legion Auxiliary

## NATIONAL POLICY

### Fraud Whistleblower

Reviewed by: National Risk & Compliance Committee

Reviewed On: 02-01-2020

Approving Body: National Executive Committee

Date Approved: 02-22-2020

**Next Review Date: Currently under review**

### Policy Statement

It is the national policy of the American Legion Auxiliary (ALA), a national public benefit 501 (c) (19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to provide a culture and process that encourages, receives, retains and resolves complaints arising from "whistleblower" communications concerning any questionable accounting or auditing matters, potential fraud or illegal or irregular activities suspected or committed by members of the governing board, national officers, national chairs, members of a committee with governing board delegated powers, national appointees, and National Headquarters staff.

### Policy Definitions

**Fraud** is defined as a willful or deliberate act with the intention of obtaining an unauthorized benefit, such as money or property, by deception or other unethical or illegal means. Fraudulent acts covered under this policy include, but are not limited to:

- Forgery or illicit alteration of documents (checks, promissory notes, time sheets, expense reports, independent contractor agreements, purchase orders, budgets, etc.).
- Misrepresentation of information on documents.
- Misappropriations of funds, inventory, securities, supplies, or any other asset.
- Theft, disappearance, or destruction of any asset.
- Improprieties in the handling or reporting of money or financial transactions.
- Issuing false or misleading financial statements, tax returns or other forms of financial information whether for internal or external use.
- Authorizing or receiving payments for goods not received or services not performed.
- Authorizing or receiving payment for hours not worked.
- Any apparent violation of Federal, State, or Local laws related to dishonest activities or fraud.

**Employee:** In this context, Employee is defined as any individual who receives compensation, either full or part time, from the ALA and referred to as National Headquarters staff. The term also includes any consultant, or independent contractor, who provides services to the ALA through a contractual arrangement with the ALA.

**Management:** In this context, Management is defined as any compensated officer, administrator, manager, director, supervisor, or other individual who manages or supervises employees, funds, or other resources.

**Volunteers:** In this context, Volunteers are defined as a national officer, a national board member, member of a committee with governing board delegated powers, a

national chair, and a national appointee providing non-compensated services to the ALA.

**Whistleblower:** In this context, Whistleblower is defined as one who raises a concern about or reveals suspected misconduct or wrongdoing occurring in the organization to those in positions of authority.

## **Policy**

1. Members of the ALA's governing board, national officers, national chairs, members of a committee with governing board delegated powers, national appointees, and National Headquarters staff shall follow the ALA Fraud Whistleblower Procedures and report any suspected fraudulent activity to the ALA National Risk & Compliance Committee Chairman.
2. Members of the ALA's governing board, national officers, national chairs, members of a committee with governing board delegated powers, national appointees, and National Headquarters staff shall exercise due care when reporting suspected fraudulent activities.
3. The ALA shall promptly investigate any suspected fraudulent or dishonest activity against the ALA. The ALA National Risk & Compliance Committee shall determine the nature, scope, timing and extent of all investigative activities.
4. When appropriate, based on a finding of fraud, the ALA shall take appropriate disciplinary actions and pursue legal remedies available under the law against members of the governing board, national officers, national chairs, members of a committee with governing board delegated powers, national appointees, and National Headquarters staff including, but not to be limited to, the possibility of termination of employment, restitution, and forwarding information to appropriate authorities for criminal prosecution or other legal remedies.
5. Members of the governing board, national officers, national chairs, members of a committee with governing board delegated powers, national appointees, and National Headquarters staff shall be protected from retaliatory actions in accordance with federal and Indiana laws.
6. The ALA National Risk & Compliance Committee is empowered to undertake its own investigation or solicit the assistance of its independent auditors, legal counsel or other resources to investigate suspected fraud.
7. All ALA assets shall be subject to inspection when reasonable suspicion of fraudulent activity exists that makes such inspection appropriate. The ALA National Risk & Compliance Committee shall have full and unlimited access to all of ALA's contents and possessions including but not limited to furniture and equipment, electronic devices, digital devices, telephonic devices, and all information stored on said devices.
8. There shall be no assumption of privacy during the performance of an investigation of fraud.



Date Revised	Description of Revision	Approved by
02-01-2020	Removed "and" from title; use IRS 501(c)(19) description; clarified that the term "employee" also refers to National Headquarters staff; added "compensated" to officer; changed "Policies" to "Policy" added to Point #1 "Chairman"	Audit Committee
09-01-2021	AC changed to Risk & Compliance Committee	Natl Conv.

# American Legion Auxiliary

## NATIONAL POLICY

### Member Benefits

Reviewed by: National Finance Committee

Reviewed On: 02-21-2020

Approving Body: National Executive Committee

Date Approved: 08-29-2020

**Next Review Date: Fall 2023**

### Policy Statement

It is the policy of the American Legion Auxiliary (ALA), a national public benefit 501(c)(19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to enhance the value of belonging to the ALA by offering and maintaining member benefits through agreements with companies providing products and services at discounted rates to ALA members.

The purpose of this policy is to define the parameters of a member benefits program and the expectations of member benefit providers.

### Policy

Companies interested in providing member benefits for the members of the ALA shall:

1. Submit an application to the Director of Development specifying the type of member benefit(s) to be offered to members.
2. Submit a statement request or business plan to the Director of Development that addresses: projected royalty schedule; advertising plan; references from other organizations; explanation of customer fulfillment; description(s) and/or sample(s) of the product(s); product manufacturing information including company, location, and primary contacts; and request for the appropriate Marks (trademarks, service marks, name, and intellectual property).
3. Companies marketing goods and services utilizing American Legion Auxiliary Marks and from which royalties are anticipated are expected to market to ALA membership via ALA national meetings and communication media, including advertisement in ALA national publications and electronic media.
4. Companies marketing goods and services utilizing American Legion Auxiliary Marks and from which royalties are anticipated shall sign and abide by a licensing and list protection agreement, executed by the Executive Director in consultation with and reviewed by Counsel General, that provides for the payment of royalties and appropriate national ALA Membership list fees.

Date Revised	Description of Revision	Approved by
02-21-2020	Policy – clarification of responsible positions for compliance and management	Finance Committee
02-21-2020	Removed "National Headquarters" when referencing Development Director, consistency	Finance Committee

**American Legion Auxiliary**

**NATIONAL POLICY**

**Membership List Protection**

Reviewed by: National Finance Committee

Reviewed On: 02-21-2020

Approving Body: National Executive Committee

Date Approved: 08-29-2020

**Next Review Date: Fall 2023**

**Policy Statement**

It is the policy of the American Legion Auxiliary (ALA), a national public benefit 501(c)(19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to protect the national American Legion Auxiliary Membership List.

The purpose of this policy is to ensure the integrity of the manner in which the national ALA Membership List may be accessed and used. The national ALA Membership List is the corporate property of the ALA, entrusted to the Executive Director for safeguarding.

Date Revised	Description of Revision	Approved by
02-21-2020	Removed "Policy" section and moved requirements to procedure document	Finance Committee

**American Legion Auxiliary**

**NATIONAL POLICY**

**Merchandising and Licensing**

Reviewed by: National Finance Committee

Reviewed On: 02-21-2020

Approving Body: National Executive Committee

Date Approved: 08-29-2020

**Next Review Date: Fall 2023**

**Policy Statement**

It is the policy of the American Legion Auxiliary (ALA), a national public benefit 501(c)(19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to maintain an effective licensing system utilized by the ALA National Secretary and Executive Director for granting the protected use of the ALA emblem and trademarks in producing licensed merchandise.

The purpose of this policy is to ensure the integrity of the manner in which the ALA national trademarks, service marks, name, and intellectual property (a.k.a. "Marks") are reproduced. The American Legion Auxiliary Marks are the corporate property of the American Legion, entrusted to the ALA National Secretary and Executive Director for safeguarding. Applications for the use of American Legion Auxiliary Marks shall be reviewed and be approved by the ALA National Secretary and Executive Director. Companies marketing goods and services utilizing American Legion Auxiliary Marks from which royalties are anticipated, shall sign and abide by a licensing and list protection agreement, executed by the Executive Director, including the payment of royalties and appropriate national ALA Membership list fees.

Date Revised	Description of Revision	Approved by
02-21-2020	Approved recommendation to move listed items under "Policy" to a procedure document	Finance Committee

# American Legion Auxiliary

## NATIONAL POLICY

### National President Foreign Travel

Reviewed by: National Finance Committee

Reviewed On: 11-02-2020

Approving Body: National Executive Committee

Date Approved: 02-27-2021

**Next Review Date: Spring 2023**

#### Policy Statement

It is the policy of the American Legion Auxiliary (ALA), a national public benefit 501 (c)(19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to outline guidelines for foreign business travel by the American Legion Auxiliary National President. All ALA foreign business travel shall consider the value of proposed travel by weighing the costs and benefits of making the trip to determine the best possible return on investment for the organization as related to established organizational goals.

#### Policy

1. Foreign business travel by the ALA National President shall take into account:
  - a. the number of ALA members in close proximity to the business travel destination(s),
  - b. opportunities to meet with members in those foreign locations, and
  - c. opportunities to increase awareness of the ALA's mission in those foreign locations.
2. Foreign business travel by the ALA National President shall take into account current international travel warnings issued by the U.S. Department of State and any health issues for countries on the proposed foreign itinerary.
3. Foreign business travel by the ALA National President shall be planned in conjunction with that of the National Commander of the American Legion.
4. Foreign business travel by the ALA National President shall be included in the annual budget proposed by the ALA National Finance Committee to the ALA National Executive Committee for consideration. Funding for unanticipated foreign business travel by the ALA National President shall be pre-approved by the ALA National Finance Committee.
5. All expenses related to personal foreign travel by the ALA National President shall be the responsibility of the ALA National President.

Date Revised	Description of Revision	Approved by
02-21-2020	Grammar corrections	Finance Committee

## American Legion Auxiliary

### NATIONAL POLICY

#### National President's Special Project Funds

Reviewed by: National Finance Committee Reviewed On: 02-21-2020

Approving Body: National Executive Committee Date Approved: 08-29-2020

**Next Review Date: Fall 2022**

#### Policy Statement

It is the policy of the American Legion Auxiliary (ALA), a national public benefit 501 (c)(19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, that the National President has the option of selecting a special project from the existing national programs of the American Legion Auxiliary or the American Legion Auxiliary Foundation (ALAF) to promote and request donations from the membership during their administrative year. Accordingly, American Legion Auxiliary Departments are encouraged to institute a policy at the Department level utilizing the same criteria reflected in this policy.

#### Policy

1. The National President's special project selected shall be supportive of the organization's mission and strategic plan.
2. The National President's special project shall be part of the annual development plan submitted to the Finance Committee.
3. Departments shall receive information on the National President's special project at, or prior to, her installation. All monetary gifts received by the National President during their year of service shall be applied to the designated special project and be deposited into the appropriate account of the ALA or the ALAF. The National President may, at times, direct monetary gifts received during their year of service to either the ALA programs or the ALAF based on greatest need.
4. National President's special project funds shall be deposited in the appropriate ALA or ALAF bank account and shall be duly recorded to the National President's special project.
5. This policy is separate from the acceptability and reporting of professional and personal gifts to a compensated officer or staff member as defined in the American Legion Auxiliary National Headquarters rules of conduct for personnel.
6. This policy shall follow the policies as defined in the American Legion Auxiliary National Headquarters Donation Acceptance Policy.
7. Dispersing of the National President's special project funds shall be in accordance with the requirements of standard and acceptable nonprofit accounting procedures.
8. When applicable, the decision to distribute National President's special project funds to more than one designee organization shall be made by the National President.

Date Revised	Description of Revision	Approved by
02/20/2016		NEC

# American Legion Auxiliary

## NATIONAL POLICY

### National Headquarters Emergency Action and Disaster Recovery

Reviewed by: National Risk & Compliance Committee

Reviewed On: 02-01-2020

Approving Body: National Executive Committee

Date Approved: 02-22-2020

**Next Review Date: Spring 2023**

#### Policy Statement

It is the policy of the American Legion Auxiliary (ALA), a national public benefit 501 (c) (19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to have a written Emergency Action and a Disaster Recovery Plan (Plan) for National Headquarters. The purpose of these plans is to establish emergency responses to acts of nature and other emergency occurrences that interrupt the vital day-to-day operations of ALA National Headquarters and/or restrict or prohibit access to the normal workplace, in keeping with professional disaster recovery standards and recommendations, including:

- anticipated potential threats to ALA National Headquarter operations and emergency responses thereto
- essential and critical business activities
- safeguarding vital information technology and data (IT)
- orderly and efficient transition from normal to emergency conditions
- specific guidelines appropriate for complex and unpredictable occurrences and acts of nature
- threshold events that may trigger an emergency response or building evacuation

These plans shall be periodically updated to take into account changing circumstances. National Headquarters shall, at least annually, or more frequently as circumstances warrant, a) perform impact analysis in order to understand business processes interdependencies, especially in relation to an information systems outage; b) provide for periodic testing to ensure that the plans can be implemented in emergency situations and that staff understand how it is to be executed; and, c) ensure that all ALA National Headquarters staff are aware of the plans and their own roles within.

Date Revised	Description of Revision	Approved by
02-1-2020	Use IRS 501 (c)(19) definition	Audit Committee
09-01-2021	AC changed to Risk & Compliance	Natl Conv.

# American Legion Auxiliary

## NATIONAL POLICY

### Purchasing

Reviewed by: National Finance Committee

Reviewed On: 02/21/2020

Approving Body: National Executive Committee

Date Approved: 08/29/2020

**Next Review Date: Spring 2022**

### Policy Statement

It is the policy of the American Legion Auxiliary (ALA), a national public benefit 501(c)(19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to implement and follow purchasing practices of the highest ethical standards while achieving acquisitions at the lowest reasonable cost in order to conduct the business of the American Legion Auxiliary (ALA) and advance the mission of the ALA.

### Definitions

#### Immediate or Urgent Need

Justification for a purchase made in exception to these policies due to circumstances beyond a reasonable person's control or that could not have been foreseen in time to follow standard purchasing policies and procedures.

#### Sole Source Procurement

Justification for a purchase when there is only one party or firm that can provide the required service or supply.

#### Trial Basis Equipment

Equipment obtained from vendors and used for demonstration or evaluation purposes.

### Policy

1. Purchases by and on behalf of the ALA must comply with applicable Federal and State statutes and current ALA policies and procedures.
2. The ALA NHQ management shall negotiate and enact fair and reasonable contracts for the procurement of quality goods and services.
3. The purchasing of goods or services that personally benefit the private interest of members of the governing board, national officers, national chairs, members of a committee with governing board delegated powers, national appointees, and National Headquarters staff shall not conflict with the adopted ALA National Conflict of Interest Policy.
4. The purchasing of goods or services for the ALA by any ALA compensated National Officer or ALA NHQ staff from a third party that is an immediate family member of the officer or staff member shall be in strict compliance with the ALA Conflict of Interest Policy.
5. No ALA compensated National Officer or staff member of the ALA NHQ shall have any personal financial interest(s), directly or indirectly, in any contractor, company, corporation, or organization that furnishes goods and services of any kind to the ALA.



6. Purchases and requests for quotations or proposals shall be transacted, negotiated, or conducted by the Executive Director or their designee.
7. All contracts under consideration must include standard written quotations, terms and conditions.
8. The Executive Director or ALA NHQ designee may, at their discretion, utilize formal or informal bid solicitations in the course of procurement.
9. All contracts shall be reviewed and approved by the Executive Director prior to execution, and in accordance with the ALA National Contract Approval and Signature Authority Policy.
10. The Executive Director has discretion to waive competitive bidding requirements in certain situations, including but not limited to, as defined as, Immediate, Urgent Need, or Sole Source Procurement.
11. All moving, handling, transportation and applicable installation costs as defined as Trial Basis Equipment shall be the sole responsibility of the vendor.
12. No ALA National Officer or ALA NHQ staff member shall accept any gift, token, membership, gratuity or service valued at \$50 or more from a vendor of the ALA. Suspicions of conflicts of interest or the inappropriate acceptance of gratuities or gifts or breach behavior that might compromise the buyer-vendor relationship by a National Officer shall be reported to the ALA National Risk & Compliance Committee Chairman. Suspicions of conflicts of interest or the inappropriate acceptance of gratuities or gifts or breach behavior that might compromise the buyer-vendor relationship by an ALA NHQ staff member shall be reported to the Director of Human Resources.

Date Revised	Description of Revision	Approved by
02-21-2020	Consistent use of IRS nonprofit definition;	Finance Comm.
02-21-2020	Replaced "National Secretary" with "Executive Director" throughout	Finance Comm.
02-21-2020	#2, added "management"	Finance Comm.
02-21-2020	#3 Removed "The purchasing of goods or services that personally benefit any ALA compensated national officer or ALA NHQ staff shall be strictly prohibited."	Finance Comm.
02-21-2020	#4 Removed "The purchasing of goods or services for the ALA NHQ by any ALA compensated national officers or ALA MHQ staff from a third party that is an immediate family member of the officer or staff member shall be strictly prohibited."	Finance Comm.
02-21-2020	#6 Removed "by the ALA NHQ's Authorized Purchasing Agent (APA), ALA National Secretary, ALA National Treasurer, or ALA NHQ Director, or his/her designee" and replaced with "Executive Director or their designee."	Finance Comm.
02-21-2020	#8 Removed "ALA NHQ's APA, ALA National Secretary, ALA National Treasurer, or ALA NHQ director" and replaced with "Executive Director or ALA NHQ designee."	Finance Comm.
02-21-2020	#9 Removed "finalization and signing" and replaced with "prior to execution"	Finance Comm.
02-21-2020	#10 Removed "ALA National Secretary, National Treasurer, or ALA NHQ's APA" and replaced with "Executive Director"	Finance Comm.
02-21-2020	#11 Removed "trial, loan, or demonstration equipment" and replaced with " as defined as Trial Basis Equipment"	Finance Comm.
02-21-2020	#12 Removed "ALA NHQ staff or ALA compensated national officer" and replaced with "ALA national officer or ALA NHQ staff member"; line # 2 replaced "\$25" with "\$50"; replaced "ALA NHQ" with "ALA."; removed "shall be reported to any member of the ALA National Audit Committee as outlined in the American Legion Auxiliary National Whistleblower policy and procedures." inserted "by a National Officer shall be reported to the ALA National Audit Committee Chairman. Suspicions of conflicts of interest or the inappropriate acceptance of gratuities or gifts or breach behavior that might compromise the buyer-vendor relationship by an ALA NHQ staff member shall be reported to the Director of Human Resources.	Finance Comm.
09-01-2021	AC changed to Risk & Compliance Committee	Natl Conv

## American Legion Auxiliary

### NATIONAL POLICY

#### National President and National Vice President IT Equipment Policy

Reviewed by: National Finance Committee

Reviewed On: 08-06-2020

Approving Body: National Executive Committee

Date Approved: 08-29-2020

**Next Review Date: Spring 2022**

#### **Policy Statement:**

It is the policy of the American Legion Auxiliary (ALA), a national public benefit 501(c)(19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to provide necessary technological equipment to its National President and National Vice President to ensure the effectiveness of the American Legion Auxiliary. It is also the policy of the ALA to provide parameters for the National President's and National Vice President's use of technological equipment to ensure the effectiveness of the American Legion Auxiliary.

#### **Policy:**

1. The National President and the National Vice President will use an ALA provided phone and will return the phone to the ALA at the completion of the presidential term.
2. ALA phones used by the National President and National Vice President are purchased on a four-year cycle by the ALA.
3. ALA may provide a reimbursement up to \$1500.00 for the purchase of a tablet. Parameters for this reimbursement include:
  - a. Purchase must be made in the spring prior to the leading candidate's election to the position of National Vice President at National Convention.
  - b. This tablet will be used for both the vice presidency and the presidency terms.
4. ALA contracts with the data provider for both the ALA phones and the tablets. ALA also manages the plans, secures insurance on the phones and pays the monthly charges.
5. National President and National Vice President shall adhere to prudent safety and safeguarding practices to protect phones and tablets from loss, damage, or theft.
6. National President and National Vice President are required to sign applicable ALA required agreement forms upon receipt of phone and tablet reimbursement.

7. At the end of two terms of service (vice presidency and presidency), the tablet may be purchased by the outgoing National President for a predetermined fee agreed upon with the Executive Director.
  
8. Upon resignation or termination of office, equipment provided by the ALA shall be returned immediately and in good working condition. Any reimbursements for tablets may be reviewed for possible money owed by the resigned/terminated party to the ALA.

Date Revised	Description of Revision	Approved by
08-06-2020	Policy – item 5 recommended by NEC to strike “are responsible for any damages incurred to phones and tablets not deemed fair wear and tear and.”; shall read “NP and NVP shall adhere to prudent safety and safeguarding practices to protect phones and tablets from loss, damage, or theft	Finance Committee

# American Legion Auxiliary

## NATIONAL POLICY

### Prepaid Expenses

Reviewed by: National Finance Committee

Reviewed On: 02-18-2022

Approving Body: National Executive Committee

Date Approved: 03-05-2022

**Next Review Date: Spring 2025**

#### Policy Statement

It is the policy of the American Legion Auxiliary (ALA), a national public benefit 501 (c)(19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to account for prepaid expenses in a consistent and rational manner in accordance with accounting principles generally accepted in the United States of America (U.S. GAAP).

#### Policy

1. Any prepaid expense (i.e. ALA Girls Nation program expenses, convention page ribbons, National President's scrapbooks, supplies) in which the total (bulk) dollar amount is under \$5,000 (the scope or "de-minimus" level) shall be expensed when paid or when the program, service, or event occurs.
2. Any prepaid expense (i.e. awards, meeting supplies) in which the total (bulk) dollar amount exceeds \$5,000 (the scope or "de-minimus" level) shall be recorded evenly over the period of the intended benefit or use on a monthly basis in accordance with U.S. GAAP.
3. Any prepaid expense for insurance, regardless of the dollar amount, shall be recorded evenly over the life of the policy on a monthly basis in accordance with U.S. GAAP.
4. Any prepaid expense for meeting and travel expenses which take place in the upcoming fiscal year, regardless of the dollar amount, shall be recorded as a prepaid expense in the current fiscal year in accordance with U.S. GAAP.

Date Revised	Description of Revision	Approved by
02-21-2020	Grammar corrections	Finance Committee
02-18-2022	Policy Item 1 – remove specific terms and make general; include ability to record at discretion for programs, service, or event	Finance Committee

# American Legion Auxiliary

## NATIONAL POLICY

### Protection of the National Officers and Leadership Signatures

Reviewed by: National Finance Committee

Reviewed On: 02/21/2020

Approving Body: National Executive Committee

Date Approved: 08/29/2020

**Next Review Date: Fall 2023**

### Policy Statement

It is the policy of the American Legion Auxiliary (ALA), a national public benefit 501(c)(19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to protect the digital or facsimile signature of the ALA National President, National Vice President, National Secretary, National Treasurer, the ALA National Committee Chairmen (Leadership), the Executive Director, and the Director of Finance.

### Policy

1. The American Legion Auxiliary Executive Director and the Director of Administration shall safeguard the digital or facsimile signature of the ALA National Officers, Leadership, Executive Director and Director of Finance and only use the digital or facsimile signature(s) as designated and approved.
2. In the absence of the National President, National Secretary, National Treasurer or Executive Director, no authority is implied to acquire or dissolve assets or enter into binding contracts that obligate the organization beyond routine matters of policy or procedure.
3. In the event that an ALA National Officer or Leader's signature is required for a matter beyond what has been previously designated and approved, the Executive Director or the Director of Administration shall contact the respective officer or leader for approval. In such circumstances where a National Officer or Leader provides direction to a National Headquarters staff member to utilize their digital or facsimile signature, a written directive shall be duly retained and filed.

Date Revised	Description of Revision	Approved by
02-21-2020	Policy Statement – clarified protection of all facsimile signature retained for the purposes of doing business for the ALA	Finance Committee
02-21-2020	Policy Item 1 – add Director of Finance to protected list	Finance Committee
02-21-2020	Item 3 – remove reference “her” and add “their”	Finance Committee

## American Legion Auxiliary

### NATIONAL POLICY

#### Record Retention and Disposal Policy

Reviewed by: National Risk & Compliance Committee

Reviewed On: 02-01-2020

Approving Body: National Executive Committee

Date Approved: 02-22-2020

**Next Review Date: Fall 2021**

#### Policy Statement

It is the policy of the American Legion Auxiliary (ALA), a national public benefit 501 (c)(19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to retain, protect, and dispose of ALA National Organization records – paper, electronic, and other media formats – in accordance with applicable federal and state laws.

#### Policy Definitions

**Record** includes any document or material, whether in electronic or hard copy form, that is generated or received by the ALA in the course of ALA business.

**Record Retention Schedule** is a table that describes a) the specific document type and b) the length of time each document or record is to be retained.

#### Policy

1. ALA National Headquarters (ALA NHQ) shall maintain certain records for specified periods according to the ALA NHQ Record retention Schedule (attached herein). Documents shall be stored in a protected environment for the duration of their retention period according to the ALA NHQ Record Retention Schedule. Documents covered under this policy include hard copy, electronic, other media documents, and backups of same.
2. At the end of a document's required retention period, paper or hard copies of the document shall be destroyed by shredding. Electronic copies of documents shall be permanently purged or erased.
3. Documents that have been subpoenaed and/or otherwise legally requested shall be provided in a timely manner as authorized by either the National Secretary or Executive Director. No such documents shall be concealed, altered or destroyed with the intent to obstruct any investigation or litigation.
4. The retention schedule for documents will be based on legal, fiscal, or historical requirements.

**American Legion Auxiliary National Headquarters  
Record Retention Schedule**

**Subject Document**

**Retention Period**

**Corporate Records**

Articles of Incorporation to apply for corporate status	Permanent
Letter of Determinations granting tax-exempt and charitable status	Permanent
Bylaws	Permanent
Board Policies	Permanent
Board Resolutions	Permanent
Board meeting minutes	Permanent
National Finance Committee Minutes	Permanent
National Risk & Compliance Committee Minutes	Permanent
Sales tax exemption documents	Permanent
Tax identification number designation	Permanent
Annual corporate filings	Permanent
Board Written Communications	Permanent
Board Meeting Notices	Permanent
Conflict of Interest Forms	Tenure + 5 years
Confidentiality Forms	Tenure + 5 years
Trademark registrations and copyrights	Permanent

**Financial Records**

Fiscal policies and procedures	Permanent as updated
Annual audited financial statements	Permanent
Audit workpapers – internal	7 years
Year End Internal financials – annual	Permanent
Annual budgets	5 Years
General Ledger	Permanent
Chart of Accounts	Permanent
Sub Ledgers	Permanent
Journal Entries/Trace postings	7 years
Check registers/books	7 years
Bank statements and reconciliations	7 years
Credit card statements and receipts	7 years
Business expenses documents (receipts)	7 years
Petty cash receipts/documents	7 years
Invoices – Accounts Payable and Accounts Receivable	7 years
Business income documents (receipts)	7 years
Bank deposit slips	7 years
Investment records – Year End Statement	7 years
Personal property/asset inventories/records	7 years
Capital expenditure vouchers	7 years
Depreciation Schedules (Real property /asset records)	Permanent
Check logs	7 years

**Tax Records**

Annual tax returns	Permanent
Annual tax return supporting documents	7 years
Form 5500 (for deferred compensation plans)	Permanent
Payroll registers	7 years
Payroll reports	7 years
Form 1099 (filings of fees paid to professionals)	7 years



Payroll tax withholdings	7 years
Earnings records	7 years
Payroll tax returns	7 years
W-2 statements	7 years
Federal, State, and Local withholding certificates	7 years

**Personnel Records**

Retirement and pension records	Permanent
Employment applications and resumes – hired employees	7 years after termination
Employment applications and resumes – non-hired	3 year
Personnel Files (promotions, wage rate/change, demotions, letter of reprimand, termination and job descriptions)	7 years after termination
Worker’s Compensation records	3 years after policy expiration
Salary ranges per job description/benchmark study	5 years
I-9 Forms	1 year after termination
Attendance records/FMLA leave documents, and timesheets	3 years after termination
Reasonable accommodation requests (ADA)	3 years after termination

**Insurance Records (7 Years Paper; 10 Years Electronic)**

Directors & Officers insurance policy (7 Years Paper; 10 Years Electronic)	7 – 10 Years
Worker’s Compensation insurance policy	7 – 10 Years
Non Directors & Officers and Non Worker’s Comp. insurance policies	3 years after termination
Bonds and Surety	Life of bond plus 6 years
Bond claims from Units	10 years
Safety reports	Permanent

**Contracts**

Employee contracts	Permanent
Legal correspondence	Permanent
Leases	Permanent
Mortgages	Permanent
Deeds, titles, and easements	Permanent
Surveys	Permanent
Inspection records	Permanent
Financing/Loan/Line of Credit	6 years after termination
Vendor contracts	7 years
Warranties	7 years
Request for Proposals	3 years after acceptance

**Management Plans & Procedures**

Strategic Plan	7 years
Staffing, programs, marketing, finance, fund raising and evaluation plans	7 years
Vendor contacts	7 years
Disaster Recovery Plan	7 years
Press releases	Permanent

New articles	Permanent
Policy and Procedure and training manuals (non-NEC)	Life plus 10 years
Seniority or merit rating systems	Life plus 1 year
Approved grant applications	5 years after audit of year of project completion
Unapproved grant applications	5 years
Organizational Chart	Life plus 2 years
Seniority or merit rating systems	Life plus 2 years
Personal information - Privacy Policies and Procedures	Permanent
Personal information - Security Policies and Procedures	Permanent
Paid Up For Life (PUFL) applications	3 years
Membership reports – weekly, target date, delegate counts	3 years
National Membership record	Permanent
Back-up records related to duplicate copies of electronic data for disaster recovery due to data loss from catastrophic event, user error, or hardware errors	Not less than 30 days
Records related to deleted e-mails, and messages via other electronic means	Not less than 30 days
Voice-mail messages	Not less than 30 days
Information residing on Disk and hard drives of computers of employees	Not less than 30 days after separation and consult Director and HR prior to destruction

Date Revised	Description of Revision	Approved by
2-1-2020	Use IRS description 501(c)(19); add "year-end" to financials; annual budgets from 7 years to 5 years; removed "canceled checks" since they are included in the bank statements; removed "Accounts Payable and Accounts Receivable" from Invoices; removed "Year-End Statement" from Investment Records; removed (real property/asset records) from Depreciation Schedules and changed from 7 years to Permanent; deleted all shipping, sales orders, requisitions, purchase orders, inventory references; consolidated multiple records into "Personnel Files" and all retention schedules to align with Indiana state law; changed insurance records schedule from permanent to 7-10 years; changed "bond claims from departments" to "bond claims from units"; changed Surveys to Permanent	Audit Committee
09-01-2021	AC changed to Risk & Compliance Committee	Natl Conv.

# American Legion Auxiliary

## NATIONAL POLICY

### Reserve Funds

Reviewed by: National Finance Committee

Reviewed On: 02-18-2022

Approving Body: National Executive Committee

Date Approved: 03-05-2022

**Next Review Date: Spring 2025**

### Policy Statement

It is the policy of the National Headquarters of the American Legion Auxiliary (ALA), a national public benefit 501(c)(19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to maintain reserve funds (reserves) to ensure the stability of the mission, programs, employment, and ongoing operations of the American Legion Auxiliary National Headquarters.

### Policy

1. The ALA National Finance Committee shall annually designate reserves to cover anticipated or unanticipated future expenses outside the budget in specific categories. The named designations will include explanations of purpose and amounts.
2. The ALA National Finance Committee shall present its recommendations for reserves in conjunction with its presentation of the annual budget recommended for adoption by the National Executive Committee (NEC).
3. The ALA National Finance Committee shall authorize disbursements of reserves in accordance with NEC actions.
4. The ALA National Finance Committee shall report the disbursement of reserves to the NEC as part of its annual financial report.
5. Reserves are considered board designated and as such may be undesignated by NEC action.

Date Revised	Description of Revision	Approved by
8/29/2015		NEC

## American Legion Auxiliary

### NATIONAL POLICY

#### Solicitation and Acceptance of Funds

Reviewed by: National Finance Committee

Reviewed On: 02-18-2022

Approving Body: National Executive Committee

Date Approved: 03-05-2022

**Next Review Date: Spring 2025**

#### Policy Statement

It is the national policy of the American Legion Auxiliary (ALA), a national public benefit 501(c)(19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to conduct itself with utmost integrity, adhere to the highest standards of conduct, and not allow the slightest appearance of impropriety of benefit for personal gain in the course of soliciting or accepting donations, gifts or grants (funds) on behalf of and for the ALA National Organization and to address requests to fund unanticipated and unbudgeted program opportunities through spontaneous solicitations of funds.

#### Policy

1. This policy applies to the solicitation and acceptance of current and/or deferred budgeted and unbudgeted funds from individuals and corporations to the ALA National Organization.
2. The ALA National Organization may accept unrestricted funds for specific programs and purposes that are consistent with its mission, purposes, and priorities. The ALA National Organization may not accept gifts that are too restrictive in purpose or that have debt attached to them.
3. The ALA National Finance Committee may review a prospective donation, gift, sponsorship or grant for acceptability in cost, scope, or purpose.
4. The ALA may solicit and accept corporate sponsorships that are consistent with its mission purposes and priorities as a mutual benefit exchange.
5. This policy is separate from the acceptability and reporting of professional and personal gifts to a compensated or volunteer officer or staff member, addressed in the ALA National Headquarters Personnel Policy Manual.
6. This policy is separate from the expectations that the ALA National President will duly deposit monetary gifts intended to benefit a national program or initiative of the ALA National Organization or the ALA Foundation, regardless of whether the gift is so specified or not, into the appropriate ALA National Organization or ALA Foundation account.
7. The ALA national leadership shall annually anticipate and budget for solicitations of funds to fund the budgeted programs included in the ALA budget.
8. Requests for solicitations for programs which were removed from the current year budget as adopted by the National Executive Committee shall not be considered for approval.

9. Requests for solicitations, whether to fund an additional program opportunity not presented in the annual budget or to solicit funds at an ALA event or meeting, shall:
  - a. be for mission programs of the ALA.
  - b. be presented to and reviewed by the Executive Director, Director of Finance and Development Director in a timely manner as to mission-related purpose, scope, and achievability.
  - c. be reviewed by the ALA National Finance Committee and, based on all facts and circumstances, the ALA National Finance Committee will take action.
  
10. Approved requests for solicitations, whether to fund an additional program opportunity not presented in the annual budget or to solicit funds at an ALA event or meeting shall follow existing ALA procedures for soliciting and accepting donations, gifts, sponsorships, or grants.

Date Revised	Description of Revision	Approved by
02-21-2020	Recommended by management and committee to merge Unbudgeted Solicitations of Funds Policy with the Solicitation and Acceptance of Donations; ED and DOF to present to FC prior to 08/06 and 08/07 meetings	Finance Committee
08-06-2020	Policy Statement – inclusion of grants; unbudgeted	Finance Committee
08-06-2020	Policy Item 1 - include budgeted and unbudgeted	Finance Committee
08-06-2020	Policy Item 4 – correction to title	Finance Committee
08-06-2020	Policy Items 6-8 incorporate the “Unbudgeted Solicitations of Funds” policy	Finance Committee
02-18-2022	Policy title – Change name to the word “Funds” to include the representation of Donations, Gifts and Grants which now includes Sponsorships	Finance Committee
02-18-2022	Policy Item 3 & 10 – include sponsorship as a solicited and acceptable defined fund	Finance Committee
02-18-2022	Policy Item 4 – add specifications of acceptable sponsorships	Finance Committee

## American Legion Auxiliary

### NATIONAL POLICY

#### Travel Reimbursement

Reviewed by: National Finance Committee

Reviewed On: 08-06-2020

Approving Body: National Executive Committee

Date Approved: 08-29-2020

**Next Review Date: Spring 2022**

#### Policy Statement

It is the national policy of the American Legion Auxiliary (ALA), a national public benefit 501 (c) (19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to outline guidelines for travel and reimbursement by American Legion Auxiliary volunteers and staff. These guidelines ensure that adequate cost controls are in place and that travel expenditures are appropriate by considering the value of proposed travel against the anticipated cost of proposed travel to determine the best possible mission-focused return on investment for the organization.

#### Policy

1. All official travel on behalf of the ALA must be specified in an authorization prepared at the direction of the Executive Director, based upon approval by the National President.
2. Meals and Incidentals Per Diem: Meals and incidentals will be reimbursed according to the prevailing rates and schedules established by the U. S. General Services Administration (GSA) as published in its current Federal Per Diem Rates document.
  - a. Per Diem is not to exceed the prevailing Federal Per Diem rate for the destination city.
  - b. When meals are provided by the convener of the meeting, adjustments will be made to the daily per diem of attendees.
  - c. Per Diem is calculated based upon the number of nights authorized for travel.
  - d. ALA corporate credit cards shall not be used when an individual is engaged in authorized travel which is reimbursable by per diem.
3. Lodging/Housing
  - a. Lodging/housing will be provided for a shared room. Those who room alone will be reimbursed only for 50% of the cost of the room, including taxes and fees. Any exceptions shall require the prior approval of the National President or Executive Director.
  - b. Lodging/housing is not to exceed the Federal Per Diem rate for the destination city.
  - c. Receipts for lodging/housing must be submitted before reimbursement will be processed.
4. Transportation
  - a. Volunteers shall book authorized travel through the ALA's contractual travel provider unless authorized travel booked through a non-ALA contractual travel provider is documented as being less expensive.
  - b. Staff shall book authorized travel through the ALA Logistics Planner.
  - c. Transportation shall be reserved at least 30 days in advance of departure when possible.

- d. Selecting a flight based on carrier preference or to receive frequent flyer miles when a comparable flight exists with another airline at a lower fare is prohibited.
5. Reimbursable Expenses
    - a. All travel expenditures will be reviewed by National Headquarters. Expense reimbursement requests must be submitted within 60 days of the last meeting day and must be accompanied by receipts and/or proof of purchase, when applicable.
    - b. Expenses will be reimbursed only with proper receipts and/or proof of purchase, when applicable. Allowable reimbursable expenses:
      - i. Parking and tolls.
      - ii. Airline baggage fees.
      - iii. Housing/lodging expenses en route to authorized meetings only when pre-approved by Executive Director.
      - iv. Commercial ground transportation to and from the airport in conjunction with the site of an authorized meeting or from home to the airport only when ground transportation is not available through the ALA's contractual vendor or when complimentary shuttle transportation is not available.
      - v. Internet expenses, business center expenses and long-distance phone calls incurred for business related purposes only.
      - vi. Laundry and dry-cleaning expenses only when incurred by staff or volunteer leaders serving on-site at ALA functions for eight consecutive days or longer.
      - vii. Tips for items such as: skycaps, bellman, hotel housekeeping must be submitted with documentation/explanation to be reimbursed and within reason.
  6. Exceptions - Any exceptions to the above based on any state, local, territorial, or tribal health and safety laws, rules, and regulations with which travel and events must comply shall be documented and require the prior approval of the National Vice President or Executive Director.

Date Revised	Description of Revision	Approved by
02-21-2020	Section V.b.1 5.b.i- Add "tolls" to allowable reimbursable expenses	Finance Committee
08-06-2020	Section V. a. and b. 5a and 5b to include "proof of purchase"	Finance Committee
08-06-2020	Section V.b.2 5b.ii – added airline baggage fees as a reimbursable expense	Finance Committee
08-06-2020	Section V.b.7 5b.vii – added "within reason" to tips	Finance Committee
08-06-2020	Section VI 6 – added clarification of exceptions due to COVID-19; changed NP to NVP for balance of internal controls	Finance Committee
Oct 2020	Format change from roman numerals to enumerations for consistency in all policies	NHQ

## American Legion Auxiliary

### NATIONAL POLICY

#### Whistleblower Protection

Reviewed by: National Risk & Compliance Committee

Reviewed On: 02-01-2020

Approving Body: National Executive Committee

Date Approved: 02-22-2020

**Next Review Date: Currently Under Review**

#### Policy Statement

It is the national policy of the American Legion Auxiliary (ALA), a national public benefit 501 (c) (19) not-for-profit veterans organization auxiliary headquartered in Indianapolis, Indiana, to provide a culture and process that encourages, receives, retains, and resolves complaints arising from “whistleblower” communications concerning any violation of the American Legion Auxiliary’s code of ethics or suspected violation of law or regulations that govern the American Legion Auxiliary’s operations. The ALA requires directors, officers, volunteers, and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the ALA, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

#### Policy Definitions

**Employee:** In this context, Employee is defined as any individual who receives compensation, either full or part time, from the ALA. The term also includes any consultant or independent contractor who provides services to the ALA through a contractual arrangement with the ALA.

**Management:** In this context, Management is defined as any compensated officer, administrator, manager, director, supervisor, or other individual who manages or supervises employees, funds, or other resources.

**Volunteers:** In this context, Volunteers are defined as national officers, national board members, members of a committee with governing board delegated powers, national chairs and national appointees providing non-compensated services to the ALA.

**Whistleblower:** In this context, Whistleblower is defined as one who raises a concern about or reveals suspected misconduct or wrongdoing occurring in the organization to those in positions of authority.

#### Policy

1. Reporting Responsibility – This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns internally so that the ALA can address and correct inappropriate conduct and actions. It is the responsibility of all board members, officers, employees, and volunteers to report concerns about violations of the ALA’s code of ethics or suspected violations of law or regulations that govern the ALA’s operations.



2. **No Retaliation** – It is contrary to the values of the ALA for anyone to retaliate against any board member, officer, employee, or volunteer who in good faith reports an ethics violation, or a suspected violation of law, such as a complaint of discrimination, or suspected fraud, or suspected violation of any regulation governing the operations of the ALA. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.
3. **Reporting Procedure** – The ALA has an open-door policy and suggests that employees share their questions, concerns, suggestions or complaints with their supervisor. If the employee is not comfortable speaking with their supervisor or they are not satisfied with the supervisor's response, they are encouraged to speak with the Executive Director or the Director of Human Resources. Supervisors and managers are required to report complaints or concerns about suspected ethical and legal violations in writing to the ALA's Director of Human Resources, who has the responsibility to investigate all reported complaints. Employees with concerns or complaints may also submit their concerns in writing directly to their supervisor, the Executive Director, or Director of Human Resources. If the concern or complaint is regarding a Volunteer, the Director of Human Resources will notify the Risk & Compliance Committee Chair to discuss further action. Volunteers who wish to report a concern or complaint regarding another Volunteer (not a member of the National Staff) will follow the process outlined in the Ethical Conduct Policy.
4. **Compliance Officer** – The ALA's Director of Human Resources is responsible for ensuring that all complaints about unethical or illegal conduct are investigated and resolved. The Compliance Officer will advise the Executive Director (and/or the Chairman of the Risk & Compliance Committee) of all complaints and their resolution and will report at least annually to the Chair of the Risk & Compliance Committee on compliance activity relating to accounting or alleged financial improprieties.
5. **Accounting and Auditing Matters** – The ALA's Director of Human Resources shall immediately notify the Risk & Compliance Committee Chair of any concerns or complaints regarding corporate accounting practices, internal controls or auditing and work with the committee until the matter is resolved.
6. **Acting in Good Faith** – Anyone filing a written complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.
7. **Confidentiality** – Violations or suspected violations may be submitted on a confidential basis by the complainant. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.
8. **Handling of Reported Violations** – The ALA's Director of Human Resources will notify the person who submitted a complaint and acknowledge receipt of the reported violation or suspected violation. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

Date Revised	Description of Revision	Approved by
02-01-2020	Use IRS definition of 501(c)(19); change "Policies" to "Policy"	Audit Committee
09-01-2021	AC changed to Risk & Compliance Committee	Natl Conv.



# 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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