



## THE AMERICAN LEGION AND POLITICS

*Please post this in your meeting place and share with all Legion Family Members*

Department Headquarters receives many questions regarding politics and The American Legion. With the upcoming elections, please note The American Legion **may not** get involved in partisan political activities. According to Article II, Section 2, of the Constitution of The American Legion, ***“The American Legion shall be absolutely nonpolitical and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preferment.”*** The term nonpolitical has been interpreted by the National Judge Advocate as “nonpartisan” in modern lingo.

This is further made crystal clear by 36 US Code §21706 (part of The American Legion Corporate Charter), which states:

**“The corporation shall be nonpolitical and may not promote the candidacy of an individual seeking public office.”**

And emphasized by the provisions of Article II, Section 2 of the National Constitution which provides:

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

The American Legion takes positions on issues and lobbies for veteran’s benefits, a strong America, and supports only issues which impact the Four Pillars. This is clearly permitted.

The American Legion takes positions on issues, and its members being citizens, need to be informed on the issues. Hence, American Legion programs such as candidate nights are fully authorized as long as all candidates are invited on the same terms and conditions.

What is not permitted is:

- The endorsement of any candidate or the donation of funds by The American Legion to a candidate.
- It would be illegal to invite the one you support with advance notice, but the one you oppose with no notice at all.
- The Legion cap is considered the official Legion uniform. It is not an individual Legion member’s decision on the appropriate usage of the cap and emblem. If attending a political event, The American Legion cap, or any clothing with the emblem visible, should be removed so as not to imply endorsement by The American Legion. The problem is the assumption of endorsement by those who see the emblem or name worn at an improper location, such as a partisan rally.

Other Recommendations:

- If financial contributions are offered by candidates for political office, campaigns, political action committees or political parties, The American Legion should politely decline. Accepting these contributions may be perfectly legal, but The American Legion must avoid any perception of supporting any candidate or political party.
- We recommend that Legion publications not accept paid political ads. However, if they do, the paid political advertisements must be made on the same terms and conditions for all candidates and should be labeled “Paid Political Advertisement” at both the top and bottom.
- When using post facilities to host candidates, posts should remove emblem and Legion flag to avoid any impression of endorsements. Candidates for all parties must be presented equal opportunity at the same time to use the facilities on the same terms and conditions as other competing candidates.

As noted above, those who violate the partisan political activities prohibition put the Legion charter of their post at risk as well as its tax exempt status. The American Legion values its independence and effectiveness on veterans’ issues. This stance is best maintained by neutrality on individual candidates or political parties.