

## Usage of the American Legion cap, emblem, facilities, and political donations

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 national charter, approved by Congress, also stipulates The American Legion as an organization is nonpolitical\*, which has been interpreted by the national judge advocate as “nonpartisan” in modern lingo. Therefore, The American Legion as an organization is prohibited from contributing, helping or endorsing a candidate. However, a member – as a private citizen and not representing the organization – can employ whatever legal and ethical means to advance his or her candidate.

The Legion cap is considered the official Legion uniform (**see p. 40**). 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.

When using post facilities to host candidates, the post should remove the emblem and American 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.

The American Legion values its independence and effectiveness on veterans’ issues. This stance is best maintained by neutrality on individual candidates or political parties. The American Legion by legal definition is nonpartisan and supports only issues that impact the Four Pillars.

The following is the position of the National Headquarters of The American Legion regarding financial contributions that might be offered by candidates for political office, campaigns, political action committees or political parties:

- The American Legion is very appreciative of donors who contribute to its programs, which enhance the quality of life for thousands of veterans, young people and their families.
- While The American Legion is pleased to see candidates address issues of concern to America’s veterans, it is a nonpartisan organization. The American Legion Constitution prohibits the organization from endorsing any candidate for political office.
- if a candidate, PAC or political party were to offer a financial contribution to The American Legion or its programs, the Legion would politely decline. While accepting the contribution may be perfectly legal, The American Legion wants to avoid even the perception that the organization supports any candidacy. Again, The American Legion values its independence and is beholden to no political officeholder or candidate.

*\* This means “nonpartisan” in today’s society. The American Legion is allowed by Congress to lobby for veterans benefits and a strong United States of America (NJA, October 25, 2012).*