

The wearing of the cap and usage of The American Legion 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. 42). 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 in improper location, such as a partisan rally.

When using post facilities to host candidates, post 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.

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.

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 non-partisan and supports only issues which impact your Four Pillars..

** This means “non-partisan” 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)*