



**THE AMERICAN LEGION**  
*Veterans Strengthening America*

OFFICE OF THE NATIONAL ADJUTANT

PO BOX 1055, INDIANAPOLIS, IN, 46206-1055 • WWW.LEGION.ORG • P: (317) 630-1200 • F: (317) 630-1223

August 1, 2025

Memo To: National Officers  
Past National Commanders  
National Executive Committeemen  
Alternate National Executive Committeemen  
Department Commanders  
Department Adjutants  
Executive Directors  
Division Directors

Subject: Proposed Amendments to the National Constitution and/or By-Laws

In accordance with provisions contained in Sections 1 and 2, Article XV of the National Constitution, and Sections 1 and 2, Article VIII, of the By-Laws, the attached proposed amendments, which were received in time to be circulated, is transmitted to all Departments and to the members of the National Executive Committee by mailing same to them at least twenty days prior to the convening of the 106th Annual National Convention in Tampa Bay, FL, for the duration of August 22-28, 2025.

Listed below are the resolution numbers and source of approval:

RESOLUTION #	TITLED	SUBMITTED BY
Resolution # 11	AMEND ARTICLE II, SECTION 2 OF THE AMERICAN LEGION NATIONAL CONSTITUTION	Department of Minnesota
Resolution # 19	AMEND ARTICLE IV OF THE AMERICAN LEGION NATIONAL BY-LAWS	Department of California

RODNEY K. ROLLAND  
National Adjutant

**RESOLUTION**  
National Headquarters, The American Legion  
One-Hundred and Sixth Annual National Convention, Tampa, Florida  
August 26, 27, 28, 2025

RESOLUTION NO. 11

SUBJECT: AMEND ARTICLE II, SECTION 2 OF THE AMERICAN LEGION NATIONAL CONSTITUTION

REFERRED TO COMMITTEE ON CONSTITUTIONAL AMENDMENTS

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WHEREAS, the charter of the American Legion states under § 21706. Political activities, “The corporation shall be nonpolitical and may not promote the candidacy of an individual seeking public office”, and

WHEREAS, Article II, Nature, Section 2 states, “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”, and

WHEREAS, The American Legion uses political methods in support of its legislative agenda and priorities to support the four pillars of the American Legion, and

WHEREAS, The American Legion has Legislative Committees and Chairs at the national, department and district levels whose function it is to use political methods to work with federal and state legislators to support The American Legion’s policies, legislative agenda, and programs, and

WHEREAS, many Legionnaires interpret Article II, Section 2 to mean that Legionnaires are forbidden to hold or express a political opinion on any topic, and

WHEREAS, the definition and interpretation of the word “political” has changed since the Constitution was first written, now therefore be it

**RESOLVED, By The American Legion in National Convention assembled in Tampa, Florida, August 26, 27, 28, 2025, That Article II, Section 2 of the National Constitution be changed from, “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.” To read “The American Legion shall be absolutely non-partisan 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”.**

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This is to certify that this resolution was adopted by our department but with national action substituted for local resolving clause.

Adjutant: *Michael Maxa*

Department: Minnesota

Other authorized source:

(To be used when resolution is submitted from another authorized source or to comply with Resolution 21, May 4-5, 2016)

**BELOW THIS LINE FOR NATIONAL CONVENTION COMMITTEE USE ONLY**

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Approved	Approved with Amendment	Rejected	Received and Recorded	Consolidated with
Referred to Standing Commission or Committee on				
Other Action				
Signature of Chairman or Secretary _____				

**RESOLUTION**  
National Headquarters, The American Legion  
One-Hundred and Sixth Annual National Convention, Tampa, Florida  
August 26, 27, 28, 2025

RESOLUTION NO. 19

SUBJECT: AMEND ARTICLE IV OF THE AMERICAN LEGION NATIONAL BY-LAWS

REFERRED TO COMMITTEE ON CONSTITUTIONAL AMENDMENTS

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WHEREAS, Article IV, Section 1 of the National Bylaws reads: "Each Post of The American Legion shall be the judge of its own membership, subject to the restrictions of the Constitution and By-Laws, except that no person who is a member of an organization which has for its aim the overthrow of the United States Government by force or violence, 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"; and

WHEREAS, Under The American Legion Bylaws. Article IV, Section 2. "A Post may suspend or expel a Post member from The American Legion only after providing the member due process and a proper showing of cause. Charges shall be based upon disloyalty, neglect of duty, dishonesty and/or conduct unbecoming a member of The American Legion. All charges must be made under oath in writing by the accusers, and no member in good standing shall lose their membership until given a fair trial by the Post or Department in such manner and form as the Post or Department By-Laws"; and

WHEREAS, Each Department, in its bylaws, stipulate the exact rules of giving a member "due process" in a fashion that shall not be in conflict with the National Constitution and/or Bylaws of The American Legion; and

WHEREAS, The current guidelines of Article IV, Section 1 of the National Bylaws, a member can silently transfer from one Post to another while under a formally initiated disciplinary action, effectively avoiding such action due to lack of jurisdiction resulting from the transfer; and

WHEREAS, Over the years an unknown number of members have transferred Posts to avoid disciplinary action: and

WHEREAS, The American Legion does not have a specifically identified process in the National Bylaws of blocking members from transferring to another Post or Department to avoid their home Post's disciplinary investigation or charges: and

WHEREAS, Specific language must be added to close the gap used as a loophole that allows wrongdoers to evade the spirit and intent of these mandates while accepting Posts fail or are not interested in vetting the incoming egregious members and allow the transfer; therefore, be it

**RESOLVED, By The American Legion in National Convention assembled in Tampa, Florida, August 26, 27, 28, 2025, That Article IV of the National Bylaws be amended by inserting the following Section between Sections 2 and 3: "Any local Post that has initiated disciplinary action against an offending member of Article IV, Section 2, will maintain jurisdiction of that member's disciplinary process until the cause of such action is resolved, and that the member shall not transfer to any other Post during this process unless approved by both the losing and gaining Posts".**

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This is to certify that this resolution was adopted by our department but with national action substituted for local resolving clause.

Adjutant Sam Flores

Department California

Other authorized source:

(To be used when resolution is submitted from another authorized source or to comply with Resolution 21, May 4-5, 2016)

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