



American Legion Auxiliary Application for Unit Charter

Provisions of the American Legion Auxiliary Constitution ARTICLE III OF THE CONSTITUTION Eligibility

Section 1. 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 VIII OF THE BYLAWS Unit Organizations

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 membership of a 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 the United States' 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 OF THE BYLAWS Unit Charters

Section 1. The Department Executive Committee may suspend, cancel, or revoke Unit charters for good cause to it appearing.

(SEE INSTRUCTIONS ON REVERSE SIDE)

To the American Legion Auxiliary, Department of _____

We, the undersigned, hereby certify that we are entitled to membership in the AMERICAN LEGION AUXILIARY under ARTICLE III of the National Constitution, as above quoted. We hereby request the issuance of a charter for the formation of an Auxiliary Unit at

_____, to be attached to _____
(Location of Unit) (Legal name of Post)

Post No. _____, Department of _____.

On issuance of a charter we hereby agree to organize and maintain a Unit under the above name with the minimum membership designated by the National Constitution. We hereby further agree to uphold the principles of The American Legion and the American Legion Auxiliary and to comply with all rules and regulations prescribed by the Department and National organizations. This Auxiliary Unit shall be in all things subject to the jurisdiction of those bodies.

NAMES (Print or Type)

ADDRESSES

_____ <i>President</i>	_____
_____ <i>Secretary</i>	_____
_____ <i>Treasurer</i>	_____
_____	_____
_____	_____
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_____	_____
_____	_____
_____	_____

I hereby certify to the accuracy and good faith of the above application. When issued, the Charter will be returned to the Department Headquarters for distribution.

_____	_____
(Print name of Unit President)	(Unit mailing address)
_____ / ____ / _____	_____
(Signature of Unit President) (Date)	(City) (State) (Zip)

Please Print 3 Copies – National, Department, Unit Record

INSTRUCTIONS (Read carefully)

1. The Unit President or other person designated by the Unit to receive the charter when issued must sign the certificate at the bottom of application on preceding page.
2. Charter applications must be printed or typed in triplicate, each bearing the names of the applicants eligible for membership. All three copies will be forwarded to the Department Headquarters, after signed by the Commander and the Adjutant of the Post to which the Unit is to be attached. The original will be retained by the Department Headquarters, and the other by the National Headquarters.
3. Each copy of the charter application must bear THE SIGNATURES called for in the FIRST AND SECOND ENDORSEMENTS below.
4. The application for charter and the following must be forwarded to Department Headquarters.
 - a. Individual Membership Applications, signed by a Post Officer. (A minimum of 10 new Senior members is required.)
 - b. Department and National membership dues for all names on the charter application (except transferring members who have already paid current year dues.)
 - c. Charter fee in amount designated by the Department.
 - d. Unit Data Form.

FIRST ENDORSEMENT

Date _____, 20 _____

To the Department:

The foregoing application has been approved by _____ Post, Number _____,

of The American Legion, Department of _____, to which the Auxiliary Unit is to be attached.

Attest:

(Signature of Post Adjutant)

(Signature of Post Commander)

SECOND ENDORSEMENT

Date _____, 20 _____

Department _____
Address _____

I certify that I have examined the foregoing application. Approval is recommended. Charter is to be issued under the name of the American Legion Auxiliary Unit of _____ Post Number _____,
(Location of Unit)
of the American Legion Department of _____.

(Signature of Department President)

Return to: American Legion Auxiliary
National Headquarters
3450 Founders Rd.
Indianapolis, IN 46268

THIRD ENDORSEMENT

Date _____, 20 _____

To the President,

The American Legion Auxiliary, Department of _____.

Returned. Approved. Charter issued and enclosed herewith.

(Signature of National Secretary)

FOURTH ENDORSEMENT

Date _____, 20 _____

To _____
(Name of President of Auxiliary Unit)

Forwarded. Charter applied for herewith enclosed.

Department of _____

(Signature of Department President)

ARTICLE X

Suspension, Cancellation and Revocation of Charters

Unit Charters

Section 2. Any Unit that a) fails to meet the obligations imposed upon it by the governing documents, policies, or requirements of the National Organization or Department, or b) ceases to function as an American Legion Auxiliary Unit from one Department Convention to the next, shall surrender its charter at the direction of the Department President. When a Unit so directed to surrender its charter fails to do so, the Department Executive Committee may take immediate steps to revoke the charter.

Section 3. An American Legion Auxiliary Unit whose charter has been suspended, cancelled, or revoked by the Department may appeal the decision of the Department Executive Committee to the National Executive Committee, as provided in the Standing Rules.

Section 4. Upon suspension of an American Legion Auxiliary Unit charter, the Department Executive Committee is authorized, empowered and directed, by and through its duly authorized agents, to take possession, custody and control of all records, assets, property, and belongings of the Unit and to provide for the governance and administration of the Unit during said suspension.

Section 5. With regard to suspensions, cancellations, and revocations of Unit charters, in no event shall the Department organization be required to assume any financial obligation with regard to records, assets, property, and belongings.

Section 6. Cancellation of a Unit charter shall be in order when two (2) or more Units merge, when a Unit ceases to function, or under such other conditions as might make such action necessary within a Department. In the event a Unit charter is canceled or revoked without the consent of such Unit, it shall have the right of appeal to the National Executive Committee as provided in the Standing Rules.

Section 7. The National Executive Committee may prescribe rules of procedures to be followed in the revocation, suspension or cancellation of Unit charters, with full power from time to time to revise or amend such rules, provided, however, that until such rules have been adopted, the procedure currently in existence shall be applicable. All rules and procedures shall be in accordance with the principles of due process of law.

STANDING RULE 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. As provided in the National Bylaws, the minimum membership of a Unit shall be ten (10) Senior members. A Department Headquarters Unit shall have no minimum membership requirement.

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

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.

A member who is not subject to suspension or membership revocation under due process 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 due process shall be considered in good standing and the member shall be entitled to full membership rights, privileges, and benefits in the new Unit.

4. 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 4(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 4 (a) and 4 (b).

5. A Legion Post has no authority to regulate a Unit and vice versa.
6. 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. *See Standing Rules Section X Departments – Section 4 and 5.*

Disciplinary actions against members, including membership suspensions, are not appealable to the National Organization. All discipline must be imposed in accordance with the principles of due process and equal protection. A Department may discipline a Unit for failure to discipline a member.

7. When a Unit ceases to function or its charter has been revoked or 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.
8. A Unit whose charter has been suspended, canceled, or revoked 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.

STANDING RULE XII. CHARTERS

Unit Charters

1. A properly executed Unit charter application shall include typewritten/electronically printed 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.