



THE AMERICAN LEGION

Name and Emblem Use and Protection Guide

Revisions to this guide will be issued as corrections and additions are made

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Foreword

Since 1919, the name and emblem of The American Legion have come to signify the principles of the American way of life and our constitutional form of government – the principles upon which our organization was founded. The names and emblems of the American Legion Auxiliary and Sons of The American Legion likewise serve to extend recognition for our sister and brother organizations.

Every use of these names and emblems symbolizes the integrity and principles of the organization which they represent. The goodwill represented by our names and emblems is spread throughout the communities we serve. That goodwill is a valuable and important asset of The American Legion because it is the embodiment of our reputation for service, earned by all who have served under the name and emblem for nearly a century.

This manual is distributed to national organization staff, departments, and others responsible for use and protection of our names and emblems. The guidelines in this manual should be strictly followed. Questions regarding them should be addressed to the national adjutant or national judge advocate.

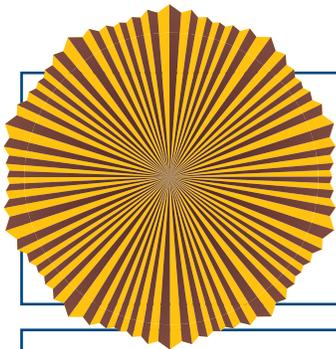
Attention to the requirements in this manual will go a long way toward protecting the integrity of our names and emblems.



Daniel S. Wheeler
National Adjutant

Meaning of The American Legion emblem

Every part of The American Legion emblem has meaning. The emblem is laid upon the rays of the sun – giver of life, warmth and courage, and foe of the cold, darkness, fear and apprehension. In turn, each of the emblem’s parts bears a meaning which no Legionnaire who wears the emblem should take lightly, and which he or she should know from the first moment it is put on. Why does the star signify constancy of purpose? Because the stars are fixed in the heavens. As the stars do not wander, so should The American Legion not wander from its fixed purposes. Further, the words “The American Legion” demand that the wearer “shall ever guard the sanctity of home and country and free institutions.” There shines the emblem of The American Legion – your badge of pride, distinction, honor and service.



The rays of the sun

The rays of the sun form the background of the emblem and suggest the Legion’s principles will dispel the darkness of violence and evil.

The wreath

The wreath forms the center, in loving memory of those brave comrades who gave their lives in the service of the United States that liberty might endure.



The star

The star, victory symbol of World War I, symbolizes honor, glory and constancy. The letters “U.S.” leave no doubt as to the brightest star in the Legion’s constellation.



Outer rings

The larger of the two outer rings signifies the rehabilitation of our sick and disabled comrades. The smaller inside ring denotes the welfare of America’s children.



The words

The words “American Legion” tie the ring together for truth, remembrance, constancy, loyalty, honor, service, veterans affairs and rehabilitation, children and youth, national security and Americanism.

Inner rings

The smaller of two inner rings set upon the star represents service to our communities, states and nation. The larger outer ring pledges loyalty to Americanism.



Section I

Purpose of an identification system

Trademarks and service marks are valuable assets of any organization. In business, they help consumers to identify the goods and services of one firm and to select from hundreds of goods and services available. They can also assure that the goods and services consumers select meet certain quality standards and will be just like the goods or services purchased before.

The trademarks and service marks of The American Legion identify its programs and services and distinguish them from those of other service organizations to members of The American Legion and their families, and to millions of other Americans who know about and benefit from the Legion's programs. The marks of The American Legion also assure our members and the public at large that the programs and services sponsored in conjunction with the marks meet the high standards and reflect the values for which The American Legion is known and was established.

The purpose of this manual is to provide a set of guidelines on how to use the marks of The American Legion for all who have a need to use them – our members, local post officers, department officers, and suppliers of benefits and vendors of products for The American Legion and our members.

Failure to strictly follow these guidelines could result in a loss of protection for the marks of The American Legion and public confusion as to whether a service or program is actually sponsored by The American Legion. If you have any questions concerning how to use the marks of The American Legion, or if you have seen any violations of these guidelines, contact the **Office of the National Judge Advocate, P.O. Box 1055, Indianapolis, IN 46206.**

Section II

General rules

Corporate names

On Sept. 16, 1919, the U.S. Congress declared members of the “American Legion,” an unincorporated patriotic society of soldiers, sailors and Marines of the Great War of 1917-1918, a body corporate and named this new corporation “The American Legion.” (See Title 36, Section 41, U.S. Code.)

A formal corporate name is the official legal designation of a company or organization. Corporate names should always be spelled out in full. Standard type should always be used, and the same type style and letter case (all capital letters or initial capital letters followed by lowercase letters) must be used throughout the name.

Correct

THE AMERICAN LEGION
American Legion Auxiliary
Sons of The American Legion*

Incorrect

the American Legion
The AMERICAN LEGION AUXILIARY
Sons of the American Legion

Trade names

A trade name is the name by which an organization promotes itself to its members and the public and by which it conducts business. In some cases, the trade name may be the same as the corporate name. In other cases, it may be a shortened version. Use initial capital letters or all capital letters for all of our trade names.

Correct

The American Legion
THE AMERICAN LEGION
American Legion Auxiliary
AMERICAN LEGION AUXILIARY

Incorrect

the Legion
the AL
the Auxiliary
the ALA

* Sons of The American Legion is an organization, not a corporation.

Emblems or logos

An emblem or logo is the identifying symbol of an organization and can be used as the signature of that organization. It should be reproduced exactly to its specifications and separated from surrounding copy so that the emblem or logo is prominent.



Trademarks and service marks

A trademark or service mark is a word, name, symbol or device, or any combination of these, adopted and used by a person, company or organization to identify its products or services and distinguish them from the products or services of others. If the mark is used to identify a product, it is a trademark. If used to identify a service, it is a service mark.

The following are trademarks or service marks of The American Legion:

THE AMERICAN LEGION

LEGIIONNAIRE

AMERICAN LEGION AUXILIARY

SONS OF THE AMERICAN LEGION

THE AMERICAN LEGION MAGAZINE

BOYS NATION

GIRLS NATION

The American Legion emblem

American Legion Auxiliary emblem

Sons of The American Legion emblem

The American Legion Magazine masthead

American Legion Baseball emblem

American Legion Riders emblem

American Legion Shooting Sports emblem

Protection of marks

Our trademark and service mark rights have been acquired through many years of their use in connection with our programs and services. The marks identify our programs and services and distinguish them from those of other organizations.

Our marks have become well and favorably known throughout the United States and in many foreign countries through long and continuous use and through extensive national and local media coverage. They have garnered substantial goodwill, which is an extremely valuable asset.

Service mark and trademark rights may be jeopardized by internal misuse and by unauthorized use by outside sources. Even improper use in post, department or national correspondence can impair the strength of our rights to the marks.

Many once valuable marks have been destroyed through misuse by the owner of the mark and by the owner's failure to protect its rights. Exclusive rights in trademarks such as "thermos," "aspirin," "linoleum," "escalator" and "kerosene" have been lost because the marks were used as generic or descriptive words.

Every member of The American Legion plays a vital role in preserving, protecting and enhancing our marks.

Exclusive rights are established by active commercial use. The right to the mark can be lost if the organization stops using the mark, or if the organization does not use the mark properly or allows unauthorized use by others.

A mark is protected through proper usage. In general, proper usage means that the mark should not be used as a generic term. Proper usage requires uniform use, appropriate identity of the mark, and proper treatment of the mark within the text.

Compliance with the following rules will protect our exclusive rights to our marks and increase their values as assets of The American Legion:

Make the mark typographically distinctive.

Any of our word marks may be set in any standard typeface. In these cases, the mark should be made to stand out from the surrounding copy.

Use initial capital letters, all capital letters, quotation marks, italics, or larger or bolder type face to make the mark typographically distinctive.

In many cases, an initial capital letter will be sufficient to distinguish the mark from other copy. Where other initially capitalized words are included in the surrounding copy, set the mark in all caps, bold face, italics, or enclose it in quotation marks to make it distinctive.

Correct

Members of the American Legion Auxiliary are entitled to display AMERICAN LEGION AUXILIARY banners, pins and other insignia.

Incorrect

Members of The American Legion Auxiliary are entitled to display The American Legion Auxiliary banners, pins and other insignia.

Use the mark as a proper adjective.

A mark is not and should not be used as a noun, pronoun or verb. Also, a mark should not be used in the plural or in the possessive.

Correct

The members or property of The American Legion
The ladies of the American Legion Auxiliary

Incorrect

The American Legion's (possessive)
American Legion Auxiliaries (plural)

Do not vary or change the mark.

The mark should never be abbreviated, added to another term, or used to coin another word, phrase or symbol.

Correct

the members of The American Legion
Legionnaire

Incorrect

American Legionnaire (coined term)
Amer. Leg. Aux. (abbreviation)

Use the registration symbol ® properly.

The registration symbol should be used with marks registered in the U.S. Patent and Trademark Office. The symbol should be used in close proximity to the mark. Generally, where the mark is a word, the symbol is placed on the shoulder of, or adjacent to, the last letter of the mark. If the copy does not readily lend itself to use of the registration symbol each time the mark is used, the symbol should be used at least once, preferably the first time the word is used.

Register a mark before using the registration symbol.

The registration symbol ® must not be used with a mark unless it has been registered.

Special congressional protection and criminal penalties

Because The American Legion was established by an act of Congress, Congress gave The American Legion the sole and exclusive right to have and use that name in carrying out its purposes. Section 48 of Title 36, U.S. Code, states:

Said corporation and its State and local subsidiaries shall have the sole and exclusive right to have and to use, in carrying out its purposes, the name “The American Legion” or “American Legion.”

The National Executive Committee has issued guidance as to use of the emblem in Resolution No. 11. In addition, Congress enacted specific criminal penalties against anyone who is found to infringe on the emblems or other insignia of The American Legion. Section 705 of Title 18, U.S. Criminal Code, states:

*Whoever knowingly manufactures, reproduces, sells or purchases for resale, either separately or on or appended to, any article of merchandise manufactured or sold, any badge, medal, emblem, or other insignia or any colorable imitation thereof, of any veterans’ organization incorporated by enactment of Congress, or of any organization formally recognized by any such veterans’ organization as an auxiliary of such veterans’ organization, or knowingly prints, lithographs, engraves or otherwise reproduces on any poster, circular, periodical, magazine, newspaper, or other publication, or circulates or distributes any such printed matter bearing a reproduction of such badge, medal, emblem, or other insignia or any colorable imitation thereof, **except when authorized under rules and regulations prescribed by any such organization**, shall be fined not more than \$250 or imprisoned not more than six months, or both.*

Some of the marks and regulations for use of the marks of The American Legion follow. Nevertheless, specific authorization must be granted by The American Legion to anyone who reproduces, sells or distributes an emblem of The American Legion in order to satisfy the terms of 18 U.S.C. § 705.

Section III

Word marks

This section describes the word marks of The American Legion and contains specifications and style guidelines for their use.

THE AMERICAN LEGION

When used as a word mark to describe a program or service, THE AMERICAN LEGION should appear in all capital letters. When used as a corporate or trade name, it may appear as THE AMERICAN LEGION or The American Legion.

LEGIONNAIRE

When used to identify a member or a group of members of The American Legion, the mark LEGIONNAIRE may be used in all capital letters or with only the first letter capitalized as in Legionnaire. Use of the plural LEGIONNAIRES or Legionnaires is acceptable.

AMERICAN LEGION AUXILIARY

When used as a word mark to describe a program or service, AMERICAN LEGION AUXILIARY should appear in all capital letters. When used as a corporate or trade name, it may appear as AMERICAN LEGION AUXILIARY or American Legion Auxiliary.

SONS OF THE AMERICAN LEGION

When used as a word mark to describe a program or service, SONS OF THE AMERICAN LEGION should appear in all capital letters. When used as a trade name, it may appear as SONS OF THE AMERICAN LEGION or Sons of The American Legion.

THE AMERICAN LEGION MAGAZINE

THE AMERICAN LEGION MAGAZINE is always a trademark because it identifies a product, i.e., a publication of The American Legion. Thus, the mark should appear in all capital letters or, because it is the name of the magazine, it may appear in initial capital letters and italicized, such as *The American Legion Magazine*. Every issue of *The American Legion Magazine* is copyrighted.

BOYS NATION AND GIRLS NATION

BOYS NATION and GIRLS NATION should always appear in all capital letters because they are word marks describing a particular program sponsored by The American Legion. Departments may use the marks BOYS STATE and GIRLS STATE in conjunction with their department name in describing their programs.

AMERICAN LEGION RIDERS

When used as a word mark to describe a program or service, AMERICAN LEGION RIDERS should appear in all capital letters. When used as a trade name, it may appear as AMERICAN LEGION RIDERS or American Legion Riders.

AMERICAN LEGION BASEBALL

AMERICAN LEGION BASEBALL should always appear in all capital letters because it is a word mark describing a particular program sponsored by The American Legion. Departments may use the mark AMERICAN LEGION BASEBALL in conjunction with their department name in describing their programs.

AMERICAN LEGION JUNIOR SHOOTING SPORTS

AMERICAN LEGION JUNIOR SHOOTING SPORTS should always appear in all capital letters because it is a word mark describing a particular program sponsored by The American Legion. Departments may use the mark AMERICAN LEGION JUNIOR SHOOTING SPORTS in conjunction with their department name in describing their programs.

OPERATION COMFORT WARRIORS

When used as a word mark to describe a program or service, OPERATION COMFORT WARRIORS should appear in all capital letters. When used as a trade name, it may appear as OPERATION COMFORT WARRIORS or Operation Comfort Warriors.

Section IV

Emblems and logos

This section describes the emblems or logos of The American Legion and has specifications and style guides for their use.

The American Legion emblem

The official emblem of The American Legion, of which approved samples are on file at Emblem Sales in Indianapolis, is made into many types, including but not limited to assorted diameters from 1 inch to 36 inches for Officer, Baseball, Softball, Boy Scout, Life Member, Music and other emblems. Each has an accurate reproduction of the original 1919 Patent No. 54296 (renewed by Congress in 1935, 1949, 1962 and 1976) American Legion emblem in five colors – gold, dark gold, reflex blue, bronze and light bronze – and can be displayed on a background of a diameter slightly larger than the emblem proper. The details of construction and general proportions as indicated in the following example are to be accurately followed in reproducing the emblem.



Proportions

- Major point to major point – 6.25” in diameter
- Outside dimensions of circle – 5.00”
- Width of lines holding enamel – .075”
- Width of blue enamel field – .600”
- Height of letters “AMERICAN LEGION” – .400”
- Inside dimension of circle – 3.50”
- Outside circle to major point – .625”
- Outside circle to minor point – .270”
- Inside circle (part No. 2) – 3.50”

The official (post/department/national) Officer, Baseball, Softball and Boy Scout emblems may consist of patches and pins of various sizes with the officer's title or inscriptions "Baseball," "Softball," "Boy Scout."

The officer emblems consist of the emblem of The American Legion and the title of the office with or without a diamond center on the emblem. The pins have various shapes and sizes. The background or prevailing color designates position within the organization:

Red – National

White – Department

White over blue – District

Blue – Post

The American Legion Music chart insignia is a 1¼" reproduction of The American Legion emblem superimposed on a die-cut background of a music lyre. The Life Member insignia is a 1¼" reproduction of The American Legion emblem on a shield-shaped background with "Life" above the emblem and "Member" below it. On all such insignia or emblems owned or controlled by The American Legion, size is not a limiting characteristic.

Use of the American Legion emblem is controlled by National Headquarters. If a local post or department wishes to use the emblem on an item to be manufactured locally, a letter of request must be sent to the national adjutant of The American Legion. The letter must state who will perform the duplicating (the name of the salesperson is insufficient), the name of the product and the exact amount being ordered. Authority to duplicate is granted for the specific number. Additional quantities require new authority. Products must be of U.S. manufacture whenever possible.

Rules and regulations for the manufacture or sale of any article of merchandise reproducing the emblem of The American Legion

The National Executive Committee has adopted Resolution No. 11 concerning rules and regulations governing the manufacture or sale of any article of merchandise reproducing the emblem of The American Legion. The NEC has also adopted Resolution No. 43, requiring that the emblem be offered only to U.S.-made products if the products can be made in the United States, and Resolution No. 58, concerning the detailing of American Legion caps. The texts of these resolutions are found in this manual's appendix.

American Legion Auxiliary emblem

The official emblem of the American Legion Auxiliary, approved samples of which are on file at Emblem Sales in Indianapolis, is made in many types, including but not limited to 1¼", 2", 4" and 6" diameters. The emblem also appears on officer pins. Each has an accurate reproduction of the patented original 1920 Patent No. 55398 (renewed by Congress in 1935, 1949, 1962 and 1976) American Legion Auxiliary emblem in four colors – gold, dark gold, reflex blue and white – and can be displayed on a background of a diameter slightly larger than the emblem proper. The details of construction and general proportions as indicated in the example following are to be accurately followed in reproducing the emblem.

Use of the American Legion Auxiliary emblem is controlled by National Headquarters. If a local post or department wishes to use the emblem on an item to be manufactured locally, a letter of request to duplicate the emblem must be sent to the national secretary of the American Legion Auxiliary. The letter must state who will perform the duplicating (the name of the salesperson is insufficient), the name of the product and the exact amount being ordered. Authority to duplicate is granted for the specific number. Additional quantities require new authority. Products must be of U.S. manufacture whenever possible.



Proportions

Major point to major point - 5.00"

Width of blue enameled field - 0.48"

Width of lines holding enamel - 0.06"

Height of letters "AMERICAN LEGION AUXILIARY" - 0.32"

Outside dimensions of circle or blue enameled field - 4.00"

Inside dimensions of inner circle or white field - 2.80"

Circular point of star - 2.30"

Width of lines holding enamel of star - 0.06"

Outside circle to major points - 0.50"

Outside circle to minor points - 0.216"

Sons of The American Legion emblem

The official emblem of Sons of The American Legion, approved samples of which are on file at Emblem Sales in Indianapolis, is made in many types, including but not limited to 2” and 4” diameters. The emblem is also used on officer pins. Each has an accurate reproduction of the original 1934 Patent No. 92187 (renewed by Congress in 1949, 1962 and 1976) Sons of The American Legion Emblem in four colors – gold, dark gold, light French blue and light brown – and can be displayed on a background of a diameter slightly larger than the emblem proper. The details of construction and general proportions as indicated in the example following are to be accurately followed in reproducing the emblem.

Use of the Sons of The American Legion emblem is controlled by National Headquarters. If a local post or department wishes to use the emblem for – or allow a squadron or detachment, respectively, to use the emblem on – an item to be manufactured locally, a letter of request to duplicate the emblem must be sent to the national adjutant of The American Legion. The letter must state who will perform the duplication (the name of the salesperson is insufficient), the name of the product and the exact amount being ordered. Authority to duplicate is granted for the specific number. Additional quantities require new authority. Products must be of U.S. manufacture whenever possible.



Proportions

Major point top to major point bottom – 5.56”

Minor point left to minor point right – 3.91”

Outside dimensions of oval or blue enameled field – 4.40 x 3.35”

Width of lines holding enamel – .100”

Width of blue enameled field – .500”

Height of letters “SONS OF THE AMERICAN LEGION” – .400”

Inside dimension of oval or blue enamel field – 3.00 x 1.95”

Outside circle to major point – .580”

Outside circle to minor point – .280”

The American Legion Riders emblem

The American Legion Riders emblem should always appear as shown below:



The American Legion Junior Shooting Sports emblem

The American Legion Junior Shooting Sports emblem should always appear as shown below:



The American Legion Magazine masthead

The masthead of *The American Legion Magazine* should always appear as shown below:



American Legion Baseball emblem

The American Legion Baseball emblem should always appear as shown below:



Operation Comfort Warriors logo

The Operation Comfort Warriors logo should always appear as shown below:



National Emergency Fund logo

The National Emergency Fund (NEF) logo should always appear as shown below:



Child Welfare Foundation logo

The Child Welfare Foundation (CWF) logo should always appear as shown below:



The American Legion Legacy Run logo

The American Legion Legacy Run logo should always appear as shown below:



American Legion Boys Nation logo

The American Legion Boys Nation logo should always appear as shown below:



Children's Action Team logo

The Children's Action Team logo should always appear as shown below:



Use of The American Legion emblem

Individuals The use of the emblem by an individual Legionnaire is limited to the wearing of the official insignia and to the possession of authorized jewelry or merchandise bearing the insignia.

Posts and departments Posts are may only use the emblem or reproduction of the emblem on stationery, post publications, notices, posters or placards, or in matters of similar character in the ordinary routine and conduct of legitimate post business.

Any other use of the name “The American Legion” or the emblem shall be subject to the approval of the national adjutant, in accordance with Resolution No. 11 (see Appendix).

Request for use of The American Legion name or emblem on merchandise

The name and emblem of The American Legion are registered with the U.S. Trademark Office and are protected by criminal and civil enforcement provisions of federal law (Title 18 U.S. Code § 705 and Title 36 U.S. Code § 21704 and 21705). By authority of Resolution No. 11, the national adjutant or designated representative (Emblem Sales director) may grant limited permission to use the name and emblem in accordance with Resolution No. 11, other resolutions and U.S. trademark law.

To gain permission for limited use of the name or emblem, submit a request online at www.legion.org/emblem/request or complete the form in the *Officer’s Guide and Manual of Ceremonies*. Send it to department headquarters, which will forward it to Emblem Sales.

Note: The member or post purchasing the merchandise must request permission, and permission is granted directly to U.S. manufacturers only.

Any permission granted is on a one-time basis for a given quantity. Additional orders will require new authority, and the manufacturer must not produce more items than ordered. Permission is given with the caveat that all material used will specifically identify the post. If the merchandise requested is available through Emblem Sales, you will receive a quote for the merchandise or a one-time limited permission. If the merchandise is not available, you will receive a one-time limited permission or denial of permission.

If you want to order an outdoor sign for the post, contact J.M. Stewart Co., the only licensed manufacturer of American Legion post outdoor signs, at **1-800-237-3928** or online at www.stewartsigns.com.

Subsidiaries

There are special rules that apply to subsidiaries – corporations, organizations and the American Legion Riders.

Background The emblem of The American Legion is probably its most valuable asset. Years ago, a subsidiary corporation of a department attempted to gain control of the name and emblem of The American Legion through a state court action. The state court judge actually granted a temporary restraining order that has now expired. Immediately upon issuance of the order and well before it expired, The American Legion filed a case in federal court, with the cooperation of the department, and put an end to the matter. The subsidiary was dissolved with all assets ultimately turned over to the department. This was all done in accordance with Resolution No. 11, adopted by the NEC on May 4-5, 2005 (see Appendix).

Result Trademark law requires that The American Legion be certain that its name and emblem are used exclusively for those purposes determined by The American Legion. The American Legion has no choice or room to maneuver in this area of the law. No one knows where the limit to toleration might be. However, we do know that once a court rules the limit has been crossed, it’s too late. One of the tests to show exclusive use and to protect the emblem is “constant and continuous control.”

In this context, departments may have subsidiary corporations or groups such as a trust or

foundation if they so desire. The department needs to request the national adjutant's permission for the group to use the name and/or emblem of The American Legion. Moreover, because of the requirements of the trademark law, such subsidiary corporations, trusts or foundations – including Sons of The American Legion and the American Legion Riders – must meet the following requirements:

1. All officers, directors, trustees, etc. must be named by the department (usually nominated by the department commander and confirmed by the Department Executive Committee).
2. All vacancies in the subsidiary corporation must be filled by the department.
3. The subsidiary corporation must report to the department, no less frequently than monthly. These reports must include financial reports.
4. The department treasurer or finance officer must be a signatory on all accounts.
5. All amendments to articles of incorporation or by-laws must be approved by the department. (If the current text has not been approved by the department, it too must be so approved.)

These same rules apply to subsidiaries of posts, squadrons and Riders chapters. Of course, all references to departments also reference posts in the appropriate situation.

Remember: the subsidiary does NOT tell the parent what to do.

Post subsidiaries are subject to the same rules. Merely replace the word “department” with “post.” This is also true of American Legion Auxiliary units. Merely replace the word “post” with the word “unit.” Departments of the American Legion Auxiliary use language identical to that used by The American Legion.

Appendix

RESOLUTION NO. 11

RULES AND REGULATIONS GOVERNING USE OF THE NAME AND EMBLEMS OF THE AMERICAN LEGION

Adopted by the National Executive Committee, May 4-5, 2005

WHEREAS, Merchandise bearing the Legion name, emblem, logo or insignia thereon, are neither meeting the specifications heretofore adopted for the manufacture of such merchandise nor receiving approval for the manufacture thereof, have been manufactured and sold to Legionnaires, Departments, Districts, Counties and Posts, and that neither the National Organization nor the several Departments are receiving any financial benefit by reason of the sale of such unauthorized merchandise except in the instances by the purchase of the Legion name, emblem, logo or insignia from the American Legion Emblem Division and/or American Legion official licensees; and

WHEREAS, It is the desire and intention that the individual Legionnaire and the several Posts, Counties, Districts and Departments shall have merchandise bearing the Legion name, emblem, logo or insignia thereon of the best quality obtainable and at the best price and that any profits therefrom shall inure to the benefit of The American Legion for its many programs, particularly Rehabilitation and Child Welfare; and

WHEREAS, The basic endeavor of the National Emblem Committee and its Division always shall be to provide the best quality official American Legion merchandise to our membership at equal to or better than would be available through any other medium, by the mass production of such Legion merchandise; and

WHEREAS, The manufacture, sale, or purchase for re-sale of any merchandise bearing thereon the name, emblem, logo or insignia, or any colorable imitation thereof, of The American Legion, should be made only when authorized under the rules and regulations of The American Legion; and

WHEREAS, The emblem is protected by federal criminal law, letters patent and trademark and the name is a trademark and appears as part of the emblem of The American Legion; and

WHEREAS, Resolution No. 71, adopted by the National Executive Committee May 5-7, 1947, as amended by Resolution No. 51, adopted by the National Executive Committee May 3-5, 1948, was the most recent Resolution addressing the rules and regulations governing use of the name and emblems of The American Legion; and

WHEREAS, There have been several changes since 1948 that effect the use of the name and emblems of The American Legion; and

WHEREAS, This Resolution clarifies, brings up-to-date, replaces, and rescinds Resolution No. 71, adopted by the National Executive Committee May 5-7, 1947, as amended by Resolution No. 51, adopted by the National Executive Committee May 3-5, 1948; and

WHEREAS, Your National Emblem Committee and your National Finance Commission have reviewed this Resolution and recommend it for approval; now, therefore, be it

RESOLVED, By the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, on May 4-5, 2005, That the use display and the manufacture, sale or purchase for re-sale either separately or appended to, or to be appended to, or the reproduction on any article of merchandise manufactured or sold, of the

badge, medal, emblem, or other insignia or any colorable imitation thereof, or the reproduction thereof for commercial purposes, of The American Legion, or the printing, lithographing, engraving or other like reproduction on any poster, circular, periodical, magazine, newspaper or other publication, or the circulation or distribution of any such printed matter bearing the reproduction of such badge, medal, emblem or other insignia or colorable imitation thereof, of The American Legion, shall be in accordance with the following rules and regulations hereby declaring the policy of The American Legion;

1. That the word “Emblem” used hereafter shall mean insignia, logo, badge, medal, emblem, or any colorable imitation thereof or the reproduction thereof, of The American Legion.
2. That the National Officers are charged with resisting and restraining any unauthorized use of the name “The American Legion,” or the emblem.
3. That the use of the emblem by the individual Legionnaire shall be limited to the wearing of the official insignia and to the possession of authorized jewelry or merchandise bearing the emblem provided by American Legion Emblem Sales or official American Legion licensees.
4. That the use of the emblem by Posts shall be confined to using the imprint or reproduction of the emblem upon stationery, or upon Post publications, notices, posters, or placards, or matters of similar character used in the ordinary routine communication of legitimate Post business and activities sponsored and duly authorized by the Post and to the use of authorized regalia or merchandise bearing the emblem as provided by American Legion Emblem Sales, official American Legion licensees or otherwise authorized by the National Adjutant or the National Adjutant’s designated staff representative.
5. That the use of the emblem by Departments shall be the same as the use by Posts except that convention committees in the several Departments are privileged to use the emblem for decoration and souvenir purposes, subject in each instance to the approval of the National Adjutant.
6. That any other use of the name “The American Legion,” or the emblem, including but not limited to licenses or permissions, shall be subject to the approval of the National Adjutant: Provided, however, (a) that any requests for such other use of the emblem by Posts shall first be subject to Department approval before submission to the National Adjutant, and (b) that any other such use by the Departments, when approved by the National Adjutant, shall be confined within the territorial limits of the Department.
7. That all merchandise bearing the Legion emblem shall be manufactured for commercial purposes only when made in accordance with specifications adopted by or upon the approval of the National Organization.
8. That the manufacture, sale or purchase for re-sale of any merchandise or equipment or products of any kind whatsoever bearing thereon the emblem, by any person or corporation without the prior approval of the National Organization of The American Legion, shall be prohibited and shall be considered in violation of the rules and regulations of the National Organization and the Act of Congress of the United States, approved June 25, 1940, it being Public Law No. 663, 76th Congress, 3rd Session, Chapter No. 426.
9. That display of the emblem shall be in a dignified manner and each display shall be the entire emblem standing by itself without any attachment or inclusion of or into any other symbol, with the exception of jewelry where room is not available for such independent display. The emblem represents The American Legion, and accordingly, is entitled to all appropriate respect. Session, Chapter No. 426.

And be it finally

RESOLVED, Resolution Number 71, adopted by the National Executive Committee May 5-7, 1947, as amended by Resolution Number 51, adopted by the National Executive Committee May 3-5, 1948 is hereby rescinded.

RESOLUTION NO. 43

“BUY AMERICAN”

Adopted by the National Executive Committee, May 10-11, 2006

WHEREAS, The “Buy American” resolution currently in effect, No. 30, NEC, May 9-10, 1984, completely prohibits the use of foreign-made products bearing the name and/or emblem of The American Legion if an American-made product is available, regardless of quality or price differences; and

WHEREAS, It is becoming more difficult to obtain certain types of merchandise from American manufacturers that are priced competitively relative to the market; and

WHEREAS, Under authority of Resolution No. 30, NEC, May 9-10, 1984, American Legion entities are forced to purchase merchandise that is as much as four times the price of similar quality merchandise in order to honor the resolution; and

WHEREAS, Many American Legion entities are ignoring Resolution No. 30, NEC, May 9-10, 1984, because they find it to be unreasonable in certain circumstances. For example, the majority of American Legion Boys State programs use imported shirts for their program, and many candidates for Department and National office use imported lapel pins for their campaign; and

WHEREAS, The American Legion in convention has approved other resolutions that support free trade policies, namely Resolution No. 197, September 1-2, 2004, titled U.S. Foreign Policy Objectives, and Resolution No. 252, September 1-2, 2004, titled Free Trade Area of the Americas; and

WHEREAS, The American Legion still wishes to give preference to American-made product over foreign-made product; and

WHEREAS, The Departments of Illinois, Massachusetts, North Carolina, South Dakota, and Wyoming have approved resolutions calling on the National Executive Committee of The American Legion to rescind and replace Resolution No. 30, NEC, May 9-10, 1984; and

WHEREAS, Your National Emblem Committee has studied this issue since Spring 2003, and believes that the overwhelming majority of American Legion entities, both by their practices and their communication, favor rescinding and replacing Resolution No. 30, NEC, May 9-10, 1984; and

WHEREAS, The flag of the United States of America is a product like no other in that it is a symbol to the world of our country’s independence, of our individual liberty, of our unity as a nation and the rights and freedoms granted under the Constitution of the United States. And that liberty and freedom was obtained at a heavy price. As such, the sacred flag of the United States should always be made in America; now, therefore, be it

RESOLVED, By the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, on May 10-11, 2006, That, with regard to products bearing the name and/or emblem of The American Legion, where quality and price are comparable, our organization, at all levels, will give purchasing preference to American-made product; and, be it further

RESOLVED, That American Legion entities, at all levels, will only purchase products bearing the name and/or emblem of The American Legion from sources in accordance with resolutions approved by the National Executive Committee of The American Legion; and, be it further

RESOLVED, That all American Flags used by our organization, at all levels, shall be made in America; and, be it finally

RESOLVED, That this resolution rescinds and replaces Resolution No. 30, NEC, May 9-10, 1984.

RESOLUTION NO. 58

OFFICIAL AMERICAN LEGION CAPS

Adopted by the National Executive Committee, April 30-May 1, 1964 (as amended by Resolution No. 19, October 15-16, 1997)

WHEREAS, In past years, there have been numerous actions adopted setting forth the types of official American Legion caps; to wit:

National Convention—Miami, Florida—October, 1934—Resolution No. 111 (Page 42).

National Executive Committee—Indianapolis, Indiana—May, 1937 — Resolution, unnumbered (Page 78).

National Convention—New York, New York—September, 1937—Resolution, unnumbered.

National Executive Committee—Indianapolis, Indiana—November, 1937—Resolution No. 15 (Page 47).

National Executive Committee—Indianapolis, Indiana—May, 1941—Resolutions No. 32 and 51 (Page 65).

National Executive Committee—Indianapolis, Indiana—November, 1941—Resolution No. 12 (Page 57).

National Executive Committee—Indianapolis, Indiana—May, 1943—Resolution No. 23 (Page 75).

National Convention—Omaha, Nebraska—September, 1943—Resolution No. 326 (Page 79).

National Convention—Miami, Florida—October, 1945—Resolution No. 143 (Page 44).

National Executive Committee—Indianapolis, Indiana—November, 1949—Resolution No. 66 (Pages 149-150).

National Executive Committee—Indianapolis, Indiana—November, 1955—Resolution No. 35 (Pages 109-110).

All of which are attached hereto and marked Exhibits A, B, C, D, E, F, G, H, I, J and K; and

WHEREAS, In the interest of promoting efficiency, clarification and unification, it is deemed advisable to combine all such previous actions into one resolution; now, therefore, be it

RESOLVED, by the National Executive Committee of The American Legion, in regular meeting assembled in Indianapolis, Indiana, on April 30-May 1, 1964, That the following be and they are hereby declared to be the official American Legion caps for individual members, Post officers, county officers, District officers, Department officers, and National officers:

1. **POST CAPS** (members and officers) – All blue, piped in gold and lettered of gold, with optional basic lettering (Style 1 or Style 2), additional lettering, and restrictions as indicated below:

(a) **Style 1** – Post numerals in front, with state name in full on left side beneath emblem. Example “20 Illinois.” Lettering on emblem side to be in straight line.

(b) **Style 2** – Post numerals in front, with town name in full and state name abbreviated on left side beneath emblem. Emblem: “20 Minneapolis, Minn.” Lettering on emblem side to be in a straight line.

(c) Where any additional lettering is desired, this must be on the right side of cap. This lettering is restricted to name of Post, such as “John Jones”; or officer title, such as “Commander” or “Past Adjutant.” Where present or past officer cap insignia or badges are used in place of embroidered titles, these must be on right side of cap.

(d) Consecutive membership insignia, membership stars, and/or decorations (authorized American Legion or military service) must be attached to the right side of cap. Fraternal or civil organization insignia cannot be used on American Legion caps.

(e) Names or nicknames of individual members cannot be used on caps.

(f) An individual member, placing order direct with National Emblem Sales, in his own behalf, must give the serial number of his current year membership card.

2. COUNTY OFFICER CAP – All blue, piped in white and lettered in white. Lettering to be as follows:

(a) Basic lettering – Post numerals (optional) in front of cap, with County name in full and state name abbreviated on left side beneath emblem. Example: “Marion County, Ind.” or “20 Marion County, Ind.” Lettering on emblem side to be in a straight line.

(b) Titles – Each County officer cap must have the title on right side of cap. If embroidered, it must have the word “County,” followed by title, such as “Commander.” This lettering to be in two lines, with word “County” on one line, and office proper on second line. Lettering to be in straight lines. If cap insignia is used, instead of embroidered lettering, it must be placed on right side of cap.

(c) County officer cap may be worn by all constitutional officers, or assistant officers of same grade, whether elected or appointed. Term “constitutional” requires that office involved must be provided for in Department Constitution of state involved.

(d) County officers may continue wearing County officer cap after retiring from office by:
1 – If embroidered title is used, by having word “Past” embroidered above title. This would involve three lines of lettering on right side. Example: “Past” on one line, “County” on second line, and “Commander” on third line. All lettering to be in straight lines.

2 – If cap insignia used, removing present officer cap insignia, and substituting past officer cap insignia on right side.

(e) Consecutive membership insignia, membership stars, and/or decorations (authorized American Legion or military service) must be attached to right side of cap. Fraternal or civil organization insignia cannot be used on American Legion caps.

(f) All orders for County officer caps must be routed through Department Headquarters, for written approval of the Department Adjutant and transmittal by him to National Emblem Sales for handling.

I. DISTRICT OFFICER CAP – Blue cap, with white crown, piped in gold and lettered in gold.

Lettering to be as follows:

(a) Basic lettering – Post numerals (optional) in front of cap, with District designation in full, and state name abbreviated on left side beneath emblem. Example: “23rd District, Ill.” or “20 23rd District, Ill.” Lettering on emblem side to be in a straight line.

(b) Titles – Each District officer cap must have the title on right side of cap. If embroidered, this would be (as an example) “Adjutant” in a straight line. If cap insignia is used, this must be placed on right side of cap.

(c) District officer cap may be worn by all constitutional officers, or assistant officers of same grade, whether elected or appointed. In addition, where no District organization is provided, the blue and white cap is authorized for the use of County officers, the blue and white cap to have lettering as authorized for County officers caps. Term “constitutional” requires that office involved must be provided for in Department Constitution of state involved.

(d) District officer cap (both regular District officer, and County officer where no District is provided) may be worn only during tenure of office. After retiring from office, individual must revert to wearing the all-blue Post member cap, but may attach to the right side of the Post cap, the proper past officer cap insignia. If preferred, the past officer title may be embroidered to right side of the all-blue Post member cap.

(e) Consecutive membership insignia, membership stars, and/or decorations (authorized American Legion or military service) must be attached to the right side of cap. Fraternal or civil organization insignia cannot be used on American Legion caps.

(f) All orders for District officer caps must be routed through Department Headquarters, for written approval of the Department Adjutant and transmittal by him to National Emblem Sales for handling.

4. DEPARTMENT OFFICER CAP – All white cap, piped in gold and lettering in gold. Lettering to be as follows:

(a) Basic lettering – Post Numerals (optional) in front of cap, with state designation in full on left side beneath emblem. Example: “Kentucky” or “20 Kentucky.” Lettering on emblem side to be in a straight line. Town names not permitted on Department officer caps.

(b) Titles – Each Department officer cap must have the title on right side of cap. If embroidered, this would be (as an example) “Chaplain” or “Department Chaplain,” as preferred, all lettering to be in straight line or lines. If cap insignia is used, this must be on right side of the cap.

(c) Department officer cap may be worn by all constitutional officers, or assistant officers of same grade, whether elected or appointed. Term “constitutional” requires that office involved must be provided for in Department Constitution of state involved.

(d) Department officer cap may be worn only during tenure of office. After retiring from office, individual must revert to wearing the all-blue Post member cap, but may attach to the right side of the Post cap, the proper past officer cap insignia. If preferred, the past officer title may be embroidered to right side of the all blue Post member cap.

(e) Consecutive membership insignia, membership stars, and/or decorations (authorized American Legion or military service) must be attached to the right side of cap. Fraternal or civil organization insignia cannot be used on American Legion caps.

(f) All orders for Department officer caps must be routed through Department Headquarters, for written approval of the Department Adjutant and transmittal by him to National Emblem sales for handling.

5. NATIONAL OFFICER CAP – All red cap, piped in gold and lettered in gold. Lettering to be as follows:

(a) Basic lettering – Post numerals (optional) on front of cap, with state designation in full on left side beneath emblem. Example: “California” or “20 California.” Town names are not permitted on National officer caps. Lettering on emblem side to be in straight line.

(b) Titles – Each National officer cap must have title on right side of cap. If embroidered this would be (as an example) “National Commander” or “National Adjutant,” with word “National” on one line, and office proper on second, or if necessary, a third line. All lettering to be in straight lines. If cap insignia is used, this must be on right side of cap.

(c) National officer cap may be worn by all constitutional officers (including Executive Committeemen and Alternate Executive Committeemen), or assistant officers of same grade, whether elected or appointed. Term “constitutional” requires that offices of National Executive Committeeman and Alternate National Executive Committeeman must be provided for in the Department Constitution of state involved; and all other offices must be provided for in the National Constitution.

(d) National officer cap may be worn only during tenure of office, with one exception. The National Commander, upon retiring, may continue to wear the all-red cap, but must have the word “Past” embroidered above the title “National Commander” on the right side of cap. All other National officers, upon retiring from office, must revert to wearing the all-blue Post member cap, but may attach to the right side of the Post cap, the proper past officer cap insignia. If preferred, the past officer title may be embroidered to right side of all blue Post member cap.

(e) Consecutive membership insignia, membership stars, and/or decorations (authorized American Legion or military service) must be attached to the right side of cap. Fraternal or

civil organization insignia cannot be used on American Legion caps.

(1) All orders for National Executive Committee and Alternate National Executive Committee caps must be routed through Department Headquarters, for written approval of the Department Adjutant and transmittal by him to National Emblem Sales for handling. Orders for all other National officer caps must be approved by the National Adjutant before handling by National Emblem Sales.

6. RESTRICTIONS

(a) The left side (emblem side) of any American Legion cap cannot contain other than the official American Legion Emblem, and lettering as set forth previously in this resolution for Post, County, District, Department or National caps.

(b) No member of any organization, such as drum and bugle corps, bands, and so forth, sponsored by any Post or intermediate organizations between the Department and Post levels, or by any Department, shall wear the overseas cap having the color or combination of colors, authorized for the sole use of County, District, Department or National officers, when the members of uniformed groups are not appearing in the full uniform of their group; and be it further

RESOLVED, That all American Legion caps shall be made to detailed specifications, such specifications to be approved by the National Executive Committee of The American Legion, before such specifications and requests for sealed bids are submitted to interested bidders; and be it further

RESOLVED, That those actions and resolutions heretofore adopted by the National Executive Committee or National Conventions of The American Legion, referred to in the first whereas clause of this resolution which relate to official American Legion caps be and they are hereby rescinded.



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