

The American Legion  
National Executive Committee

8

Held on  
October 11-12, 2017

Resolution

Page 1 of 3

No. 8

Title: **RESTRUCTURE OF TEMPORARY FINANCIAL ASSISTANCE STATEMENT OF POLICY**

Origin: **Americanism Commission**

Submitted by: **Finance Commission**

WHEREAS, The purpose of The American Legion's Temporary Financial Assistance program is to ensure the integrity of the American family home, health and well-being for children of eligible veterans through cash grants that provide direct maintenance to those children; and

WHEREAS, Temporary Financial Assistance has successively grown over the years to issuing an average of \$820,000 in assistance grants each year; and

WHEREAS, In as much as low interest rates has allowed The American Legion Endowment Fund to provide an annual contribution of approximately \$120,000 to the Temporary Financial Assistance program each year, the general fund of The American Legion National Headquarters contributes an annual average of \$700,000; and

WHEREAS, Steadily declining membership of The American Legion adversely impacts operational program budgets; and

WHEREAS, A great majority of current Temporary Financial Assistance requests appear to be coming from households having previously received a substantial amount of assistance from the program; and

WHEREAS, There is concern that other sources of financial assistance are not first being sought prior to application for Temporary Financial Assistance; and

WHEREAS, The Temporary Financial Assistance program was designed to give a lift to children adversely affected by a temporary circumstance in the home, and isn't intended as a social services resource for seeking a solution to sustained financial stability;

WHEREAS, The restructure of the Statement of Policy under which the Temporary Financial Assistance program is administered is recommended by the Americanism Commission; now, therefore, be it

**RESOLVED, By the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, on October 11-12, 2017, That the statement of policy governing the Temporary Financial Assistance hereby be restructured as follows for enhanced fiscal administration and efficiency of the program:**

- **A single onetime non-repayable Temporary Financial Assistance grant of up to \$1,500 will be permitted in accordance with the conditions set forth in Exhibit A for the minor child(ren) of a qualifying veteran**

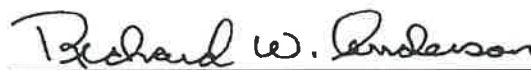
Resolutions Subcommittee Recommendation

- Approved
- Rejected
- Referred to:
- Other Action

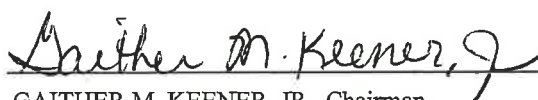


DAVID O. WARNKEN, Chairman  
Resolutions Subcommittee

Committee/Commission, Chairman Name, and Signature



RICHARD W. ANDERSON, Chairman  
Americanism Commission



GAITHER M. KEENER, JR., Chairman  
Finance Commission

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Page 2 of 3

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Submitted by: Finance Commission

- A qualifying veteran is defined as a member of the United States Armed Forces serving on federal orders current under Title 10 of the United States Code, inclusive of all components, or any veteran possessing an up-to-date membership in The American Legion
- Formal documentation is required as part of the Temporary Financial Assistance investigation process and application packet for verification that all other forms of financial assistance available have been sought and applied for, or have already been denied
- Annual cumulative expenditure of Temporary Financial Assistance grants may not exceed \$700,000 without prior approval of each chairman of the Americanism and Finance Commissions and the national commander; and, be it further

RESOLVED, That the statement of policy governing the Temporary Financial Assistance program found in Exhibit A incorporate the above new criteria and the following additions previously authorized by Resolution No. 38 of the National Executive Committee, May 2000, titled *Addition to Temporary Financial Assistance Statement of Policy*:

- e. A child (not included in 1(a-d) above) in custody of the veteran, or spouse of the veteran, living in the household of the veteran or surviving spouse, provided:
  - (1) The veteran or spouse of the veteran is legally responsible for the child and has the legal right to exercise parental control and responsibility for the welfare and care of the child as stipulated by court order, or other legal documentation, transferring custody of the child to the veteran or spouse of the veteran, or
- f. A child in joint physical custody of a veteran and/or veteran's spouse, except that:
  - (1) Resources of both households must be considered in determining the needs of the child, without regard to the present location of the child.

RESOLVED, That Exhibit A, updated as attached, be adopted in its entirety for governing the Temporary Financial Assistance program; and, be it finally

RESOLVED, That Resolution No. 27 of the National Executive Committee, May 1990, titled *Statement of Policy Regarding Temporary Financial Assistance Program* and Resolution No. 38 of the National

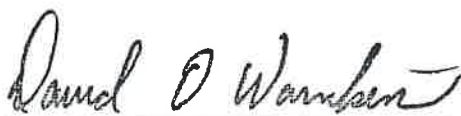
Resolutions Subcommittee Recommendation

Approved

Rejected

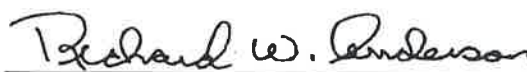
Referred to:

Other Action

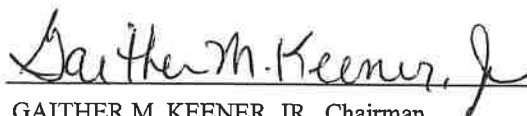


DAVID O. WARNKEN, Chairman  
Resolutions Subcommittee

Committee/Commission, Chairman Name, and Signature



RICHARD W. ANDERSON, Chairman  
Americanism Commission



GAITHER M. KEENER, JR., Chairman  
Finance Commission

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Page 3 of 3

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Executive Committee, May 2000, titled *Addition to Temporary Financial Assistance Statement of Policy* are both hereby superseded.

Resolutions Subcommittee Recommendation

Approved

Rejected

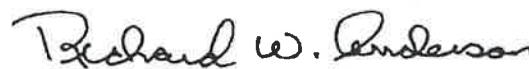
Referred to:

Other Action



DAVID O. WARNKEN, Chairman  
Resolutions Subcommittee

Committee/Commission, Chairman Name, and Signature



RICHARD W. ANDERSON, Chairman  
Americanism Commission



GAITHER M. KEENER, JR., Chairman  
Finance Commission

## THE AMERICAN LEGION NATIONAL HEADQUARTERS

### TEMPORARY FINANCIAL ASSISTANCE STATEMENT OF POLICY

#### Exhibit A

#### I. GENERAL PURPOSE

The Temporary Financial Assistance program of The American Legion shall have as its purpose:

- A. "To safeguard and transmit to posterity the principles of justice, freedom and democracy".
- B. "To consecrate and sanctify our comradeship; by our devotion to mutual helpfulness." The insurance of the integrity of the American family home and the health and well-being of future generations are essentials to the purposes stated above. Funds made available for Temporary Financial Assistance shall accordingly be expended to provide direct maintenance of family homes and/or to contribute directly to the welfare and health of individual children.
- C. Temporary Financial Assistance grants may be made in such amounts as required to meet, or to help meet, the maintenance and/or health needs of eligible children from the time such need becomes known until such time as the family local community, state and/or Federal Governments have had a reasonable opportunity to provide or develop the resources necessary to meet the full extent of the need.

#### II. GRANTS

- A. A single onetime non-repayable Temporary Financial Assistance grant of up to \$1,500 will be permitted in accordance with qualifications set forth in this document for the minor children of a qualifying veteran.
- B. Annual cumulative expenditure of Temporary Financial Assistance grants may not exceed \$700,000 without prior approval of each chairman of the Americanism and Finance Commissions and the national commander.

#### III. DEFINITIONS

##### A. Eligibility and Qualification

- 1. A qualifying veteran is defined as a member of the United States Armed Forces serving on federal orders current under Title 10 of the United States

Code, inclusive of all components, or any veteran possessing an up-to-date membership in The American Legion.

2. The child of a veteran, as defined above, is deemed eligible for Temporary Financial Assistance provided:
  - a. Such child is in need as determined by an investigation.
  - b. That there are no other resources available, or that those available are inadequate to meet the needs of the child.

## **B. Need**

Need is defined as the condition which exists when sufficient resources are not immediately available to meet the requirements of an eligible child as hereinbefore defined. Since no two individuals are identical and since their circumstances, their requirements and their resources will differ, no two persons are likely to present the same exact need. The need of any person, however, may ordinarily be measured by relating his available resources to his total requirements and circumstances. Need for the purposes of this program shall be limited to maintenance needs and health needs.

### **1. Maintenance**

- a. Maintenance shall be deemed to include, but not limited to: (1) Food; (2) Shelter; (3) Clothing; (4) Educational Expenses; (5) Household supplies; (6) Insurance; (7) Fuel; (8) Incidental (9) Other needs as specified.
- b. In no case shall maintenance be defined to include debts incurred prior to date of application; except that: (1) An allowance may be made to reinstate utilities; (2) Provision may be made for the continued occupancy of a residence if such residence is being purchased and would otherwise be lost.

### **2. Health Needs**

- a. Health needs shall be defined as: (1) Medical care; (2) Surgery; (3) Dental Care; (4) Pharmaceuticals; (5) Special Diet; (6) Hospitalization; (7) Nursing and convalescent care; (8) Other professional medical services.
- b. Provided that competent medical authority determines such services as heretofore listed are necessary for the preventions, alleviation, or cure, of sickness or physical defect.

- c. In no case shall health needs be defined to include services rendered prior to date of application, except that: (1) Preliminary approval for emergency care may be obtained by the quickest means of communication with final approval contingent upon a subsequent application being filed which shows the child to be in all respects eligible.
- d. In no case shall health needs be interpreted to include any treatment or care solely for cosmetic purposes, except that: (1) Treatment or care for physical appearance purposes is permissible; provided, there is evidence that such care or treatment will contribute to the mental or emotional health of the individual.

### C. Child

The word "child" shall be defined in line with present Veterans Administration and practices as:

1. A person who is unmarried and under the age of 18 years, however, if the person remains in an approved school and unmarried, Temporary Financial Assistance may be granted until the completion of education or training (high school), but not after the child reaches the age of 21 years, who:
  - a. A legitimate child, or;
  - b. A child legally adopted, or;
  - c. A step-child, if living in the household of the step-parent, or;
  - d. An illegitimate child, provided: (1) The father acknowledges parenthood in writing, signed by him, or (2) The father has been judicially ordered to decreed to contribute to such child's support, or (3) The father, prior to date of death, has been judicially decreed the putative father, or (4) The father, if dead, is otherwise shown by evidence satisfactory to The American Legion Americanism division to be the putative father in lieu of any of the other provisions of 1-d of this definition, or (5) The mother of such child, when qualified by virtue of her own military service, furnishes satisfactory evidence of birth of the child.
  - e. A child (not included in 1(a-d) above) in custody of the veteran, or spouse of the veteran, living in the household of the veteran or surviving spouse, provided: (1) The veteran or spouse of the veteran is legally responsible for the child and has the legal right to exercise parental

control and responsibility for the welfare and care of the child as stipulated by court order, or other legal documentation, transferring custody of the child to the veteran or spouse of the veteran, or

- f. A child in joint physical custody of a veteran and/or veteran's spouse, except that: (1) Resources of both households must be considered in determining the needs of the child, without regard to the present location of the child. (2) A person who over the age of 18, but under the age of 21 and, who meets all of the other requirements under 1 above, except age, and who is physically handicapped.

#### **D. Investigation**

The word "investigation" shall mean:

1. A personal visitation to the home or other whereabouts of such child by an official of an American Legion post or by a duly authorized person acting for him, and
2. An inquiry into and, when possible, verification of the need and cause of need, the probable duration of need, the resources and the development of plans for care of child at the cessation of Legion assistance, and
3. The recording upon an approved application blank of the facts ascertained together with investigator's evaluation of those facts through the statements of the applicant, statements of other interested persons and the investigator's own observations, and
4. Formal documentation is required as part of the Temporary Financial Assistance investigation process and application packet for verification that all other forms of financial assistance available have been sought and applied for, or have already been denied.

#### **E. Resources**

The word "resources" is defined as:

1. Finances and property within the family of the child which shall be deemed to include, but not limited to:
  - a. Earnings and other income.
  - b. Real and personal property: (1) The sale of essential real and personal property shall not be required.

- c. Intangible property such as stocks, bonds, savings, insurance, etc.
2. The temporary assistance that can be made available through The American Legion post and American Legion Auxiliary unit from their finances. (Funds from the sale of the poppy must be used for child welfare and rehabilitation).
  3. Facilities, provisions and benefits established by law and supported with public funds for children of veterans and/or for all children which shall be deemed to include, but not limited to:
    - a. Benefits from United States Veterans Administration for Veterans and their dependents: (1) Widow's and orphan's pension; (2) Compensations; (3) Pension; (4) National Service Life or Government Life Insurance; (5) Readjustment allowances; (6) Burial allowances and other benefits.
    - b. Federal Social Security provisions and/or cooperative state and local provisions: (1) Old Age and Survivor's Insurance; (2) Unemployment Insurance; (3) Aid to Dependent Children; (4) General Assistance; (5) Other specialized services and aid including, but not limited to, local medical assistance, public health clinics, state resources for soldier's relief, vocation rehabilitation, workmen's compensation, etc.
  4. Financial assistance provided through the departments of The American Legion and American Legion Auxiliary.
  5. Any other voluntary help that may come to the child.

#### **IV. AMERICAN LEGION POSTS**

##### **A. Responsibility**

It is the responsibility of posts of The American Legion to:

1. Appoint, elect or otherwise designate, a qualified member as Post Children & Youth chairman or officer.
2. Provide such funds as are possible to aid in meeting the needs of children.
3. Enlist the interest and participation, financially and otherwise, of units of the American Legion Auxiliary, and other like-minded and affiliated groups organized in their communities.



4. Cooperate with existing social welfare agencies of the community to improve services for children and to represent to such agencies the special needs of minor children whose parents served in the military forces during periods of conflict.
5. Originate applications for Temporary Financial Assistance, as previously set forth, when the needs of eligible children cannot be adequately after all other sources of assistance have been sought, and forward such applications promptly to the Department Children & Youth Chairman.

## V. DEPARTMENTS

### A. Responsibility

It is the responsibility of departments of the American Legion to:

1. Appoint or otherwise designate a qualified Department Children & Youth Chairman whose responsibilities, insofar as Temporary Financial Assistance is concerned, shall be:
  - a. To receive applications for Temporary Financial Assistance from posts.
  - b. Review such applications in the light of policies established herein and administrative procedures established by the National Organization.
  - c. Satisfy him/herself that the post is making full use of all available resources.
  - d. To secure financial help from department funds or from other state-wide sources when available.
  - e. To forward promptly to the Americanism Division applications approved by him/her with recommendation as to amount of aid needed monthly and number of months needed.
  - f. To maintain, supervise the maintenance of, or cooperate with the department adjutant or other department officials in the maintenance of necessary files, books, records, case histories, or other papers relating to Temporary Financial Assistance in such a manner as to prevent the release of confidential matters to unauthorized persons and to provide continuity of records from year to year.



5. Make such reports concerning Temporary Financial Assistance as may be required by the National Commander and the National Adjutant.
6. With the advice of, and subject to, the approval of the National Adjutant, devise and distribute application forms and such other forms as may be necessary to carry out the provisions herein stated.
7. Maintain all records, files, statistics, and other papers, except finance records which shall be the primary responsibility of the comptroller.
8. Annually, or more frequently if necessary, determine and recommend to the National Adjutant the amount of money necessary to carry out the Temporary Financial Assistance program of the National Organization for the ensuing year or other period.
9. As director of the Americanism Division, advise the Committee on Children & Youth of the operation of the Temporary Financial Assistance program, recommend such changes in existing policies as are deemed necessary from time to time, and secure from the committee its advice and counsel.
10. Maintain continuous check on applications received and expenditures for Temporary Financial Assistance, and at such time as future need for Temporary Financial Assistance appears to exceed probable available funds, inform the National Adjutant and the national Committee on Children & Youth and in cooperation with them take such steps as are necessary and proper.
11. Maintain cooperative relationships, with other agencies in the interest of improved services to children and represent to such agencies the special needs of children whose parents served in the military forces in World War I and/or World War II and/or Korea and/or Vietnam and/or Persian Gulf/War on Terrorism.

## **VII. NATIONAL ADJUTANT**

### **A. Responsibility**

It is the responsibility of the National Adjutant of The American Legion to:

1. Receive the recommendations for Temporary Financial Assistance from the Americanism Director and authorize payment in those cases which appear proper.