



POSTINGS

Newsletter of American Legion Young-Budd Post 171, Westerville, Ohio

August 2019

Commander's Notes:

COMMANDER'S NOTES

Summer is quickly passing along and let us hope the oppressive heat with it. Speaking of heat, Past Commander, now 12th District 1st Vice Commander, Tom Poulton, George Williams and I attended the Department of Ohio 2019 Annual Convention in Toledo June 28th thru the 30th. Roger Friend was elected and installed as the Department Commander, Jean Wilson as the 1st Vice Commander and Brad Teis from Post 44 in Canton, after a well fought race with David Cobb, Senior, became the new 2nd Vice Commander. A number of resolutions were acted upon; however, Resolution 19-13 which called for an increase of Department Dues from \$9 to \$14 per year was soundly defeated by roll call vote. Resolution 19-25, amending eligibility for the Eagle Scout of the Year Award and sponsored by Post 171, was referred back to committee for clarification of wordage.

The 2020 Legion Recruiting Year Campaign began nearly a month ago on July 1st, and our quota is 224 members. Our 12th District 1st Vice Commander has set a goal, which I fully support, of having our quota fulfilled by Veterans Day November 11, 2019. As of this writing we have 93 members on the 2020 rolls which represents 41.5% of our goal. Don't sit waiting on a renewal notice but get on-line and submit your renewal now. If you know a veteran who is not currently a member talk to him/her about the benefits of joining. Speaking of which, the House and Senate have approved The Legion Act, which will open eligibility to veterans previously denied membership, and it is currently awaiting Presidential signature.

One of the best ways to get new members is for eligible veterans to see what we are about and the activities we undertake. To that end we have not had an active publicity/public relations chairperson for a number of years and one is sorely needed to get us in the local media. If you have any experience in this area or would be interested in working in such a capacity, **PLEASE COME FORWARD** and let me know. As I put out a couple weeks ago there are several committees in need of chairpersons and members. Just like the military one person can't do it all and we have to support one another, so if we work together we can accomplish a great deal.

A reminder, Wednesday August 7th will be our regular meeting and we will have the Buckeye Boys and Girls State Representatives present to talk about their experiences. Wednesday August 21st at 0900 will be the Veterans' Breakfast so come on out and enjoy some comradery and if you know a

vet bring them along. Our meeting on September 4th will have Representative Troy Balderson discussing legislation and programs pertaining to veterans.

Please review the attached updates on The Legion Act that updates eligibility for American Legion membership.

SEE YOU AT THE MEETING!

2 Attch: The Legion Act – Legal Statement
The Legion Act 11 Things to Know

–John R. McElhaney, Commander

News You Can Use:

THE LEGION ACT – LEGAL STATEMENT

MEMO

To: Department Judge Advocates and Adjutants From: Kevin J. Bartlett, National Judge Advocate Date: July 31, 2019 Re: The LEGION Act

On July 30, President Trump signed into law the LEGION Act – and our National Charter was immediately changed from having seven eligibility eras to two eligibility eras, subject to the same limitations and restrictions as before.

36 USC Section 21703 – Membership now reads: “An individual is eligible for membership in the corporation [The American Legion] only if the individual – (1) has served in the Armed Forces of (A) the United States at any time during – (i) the period of April 6, 1917, through November 11, 1918; or (ii) any time after December 7, 1941; or (B) a government associated with the United States Government during a period or time referred to in subclause (A) of this clause and was a citizen of the United States when the individual entered that service; and (2) was honorably discharged or separated from that service or continues to serve honorably during or after that period or time.”

Additionally our Charter was amended with this additional clause: “36 USC Section 21704A – Nondiscrimination: The requirements for holding a staff position in the corporation [The American Legion] may not discriminate on the basis of race, color, religion, sex or national origin.”

The Constitution of The American Legion, Article XVII states: “In the event the Congress of the United States shall amend the eligibility clause in the Act creating The American Legion, this Constitution shall be deemed

amended in conformance therewith, but subject to all consistent limitations and restrictions in this Constitution contained.”

Therefore Article IV, Section 1 of the Constitution of The American Legion now reads: “An individual is eligible for membership in The American Legion only if the individual – (1) has served in the Armed Forces of (A) the United States at any time during – (i) the period of April 6, 1917, through November 11, 1918; or (ii) any time after December 7, 1941; or (B) a government associated with the United States Government during a period or time referred to in subsection (A) of this section and was a citizen of the United States when the individual entered that service; and (2) was honorably discharged or separated from that service or continues to serve honorably during or after that period or time; provided, however, that such service shall have been terminated by honorable discharge or honorable separation, or continued honorably during or after any of said periods; provided, further, that no person shall be entitled to membership who, being in such service during any of said periods, refused on conscientious, political or other grounds to subject themselves to military discipline or unqualified service.”

Additionally Article XIII, Section 2 now reads: “Membership in The American Legion Auxiliary shall be limited to the grandmothers, mothers, sisters, wives, and direct and adopted female descendants of members of The American Legion, and to the grandmothers, mothers, sisters, wives, and direct and adopted female descendants of all men and women who were in the Armed Forces of the United States during any of the following periods: April 6, 1917, to November 11, 1918; and any time after December 7, 1941; or who, being citizens 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 any of said periods, and died in the line of duty or after honorable discharge; and to those women who of their own right are eligible for membership in The American Legion.”

Thus all properly documented eligible members for The American Legion, American Legion Auxiliary and Sons of The American Legion are being accepted immediately by the National Organization and processed in the normal manner. Concurrently there is a newly developed American Legion membership application that allows an eligible member from a previously undocumented war era the ability to acknowledge his or her service during the “Other Conflicts” war eras and send it in to the department with the appropriate dues. It is my understanding that an updated application for the Sons of The American Legion and the American Legion Auxiliary is forthcoming.

Department Judge Advocates and Adjutants are strongly urged to immediately review their respective eligibility dates in their respective Constitutions, media materials (to include web, brochures, social media sites and any marketing materials) and documents to make the appropriate changes as needed.

It is understood that this major change to our Charter and Constitution took place very quickly and may cause questions and concerns. Attached hereto is a media release that may answer some of your questions. This media release is for dissemination as you see fit.

If a Department Judge Advocate and/or Department Adjutant has additional questions or concerns regarding this matter please send your name, the department you represent, a direct telephone number you can be

reached at and your questions to: Legal@Legion.Org. Use the topic "LEGION Act Questions" in the subject line. Emails will be answered in the order in which they are received.

*** Please note that due to the legal nature of the topic, only questions/concerns coming directly from a Department Judge Advocate and/or Department Adjutant can be answered. ***

LEGION ACT 11 THINGS TO KNOW

11 things you need to know about the LEGION Act By The American Legion With President Trump's signature on the LEGION Act, the extension of the ongoing declared period of war was extended back to Dec. 7, 1941. The congressionally approved act is a way to honor thousands of veterans who were killed or wounded on duty during periods not previously considered a time of war. "Finally Congress has acknowledged the service and sacrifice of at least 1,600 veterans who died or were wounded in previously undeclared periods of war," said American Legion National Judge Advocate Kevin Bartlett. "This new law honors the memories of those veterans while allowing other veterans from those previously undeclared eras to receive all The American Legion benefits they have earned through their service."

The LEGION Act - Let Everyone Get Involved in Opportunities for National Service Act — also redefines The American Legion's membership eligibility dates. The eligibility now span from Dec. 7, 1941, until a time when the U.S. is no longer at war, as determined by Congress. Here are answers to 11 key questions about the new law and what it means for The American Legion.

Question: How does this change the eligibility requirements for The American Legion? Answer: The only change is that Congress has reduced the number of eligibility periods from seven to two. They are April 6, 1917, to Nov. 11, 1918, and Dec. 7, 1941, and continuing. No other restrictions are changed.

Question: What's the impact on veterans who previously were not eligible for American Legion membership? Answer: Veterans who were honorably discharged but whose service did not fall into the previous defined war eras may now join The American Legion immediately. To do so, eligible members may sign up at www.legion.org/join.

Question: I am among the veterans who were not allowed to join previously, so why do you want me now? Answer: The American Legion's founding fathers believed, "a veteran is a veteran," an axiom that has held true throughout the organization's more than century of service. Some veterans were ineligible to join because of the war eras that were defined by Congress. The recent bill passage and president's signature changed that.

Question: So how does this differentiate The American Legion from AMVETS? Answer: The American Legion's eligibility criteria states that veterans must have served during "wartime." When Congress decides the U.S. is no longer in a state of war, the Legion's membership eligibility period will close, while AMVETS will still be open to those who served.

Question: How does this affect the Sons of The American Legion (SAL)? Answer: The Sons' eligibility criteria will change along with that of The American Legion. Any son or grandson of a living American

Legion member will be able to join the SAL program. (Sons and grandsons of deceased veterans are also eligible.) For example, a son of a veteran who served between 1985 and 1988 previously would not have been eligible. With the extension of the war period, that veteran would immediately be eligible for The American Legion and the son would be able to join the SAL.

Question: How does this affect the eligibility for the American Legion Auxiliary? Answer: This follows the same concept as the SAL, as noted previously. Membership in the American Legion Auxiliary is currently open to grandmothers, mothers, sisters, wives, and adopted female descendants of eligible veterans.

Question: How does this affect membership for departments, districts and posts? Answer: This change opens up American Legion membership to thousands more veterans who likely live in your communities. They may become members immediately.

Question: The current membership applications don't address the eligibility change. How do we process those members? Answer: New membership materials will be developed and provided as quickly as possible. Until then, it is recommended that prospective members from a previously undocumented war era write "Other Conflicts" in the eligibility date section and send it in to their department with the appropriate dues.

Question: What steps should departments, districts and posts focus on? Answer: A good first step would be to review all recruiting materials to look for eligibility dates. Information on electronic media (websites, social media channels, etc.) should be changed immediately. It is up to departments to decide on the best way to handle printed materials, while updated ones are being produced.

Question: How does this change the Paid Up For Life program? Answer: There are no changes to the PUFL program, though the newly eligible members would be able to become PUFLs. To learn more about the program, visit <https://www.legion.org/PUFL>

Question: Who can I contact for more information about this change as it applies to membership and recruiting? Answer: Contact the national Membership Division. Visit this web page to find the representative in your state. <https://www.legion.org/membership/contactus>

MINUTES: Below are the minutes from last month's meeting. Please read them and offer any corrections to the Adjutant prior to the call for approval at the 7 Aug 2019 meeting.

Membership Meeting Minutes, 5 Jun 2019

- Called to order by Commander John McElhaney at 1900 with customary ceremonies.
- Resolution 288 for 67th National Convention read aloud by Mike Boone.
- Meeting resumed: Quorum declared by Sergeant-at-Arms Bill Laidley. Motion forwarded by Ron Leonard and seconded by Tim Dickerson to approve the June 2019 minutes. The members voted, approved and the minutes are published online.
- Commander introduced:
 - George Mussi: Commander 12th District, Department of Ohio
 - Steve Ebersole: Executive Secretary, 12th District, Department of Ohio
 - Tom Poulton: 1st Vice Commander Elect, 12th District, Department of Ohio
- Commander recognized past Commanders in attendance: Tom Poulton, Steve Romeo and Pete Otteson.

- Introduced Don Finch, new member, who served in the Army from 1959 to 1962. He has lived in Westerville for 40 years and 52 years in the Columbus area. He has three children and six grandchildren.
- The Auxiliary conducted the installation of their Officers for the 2019-20 term.
- Meeting turned over to 12th District Officers for the Installation of the Post 171 Officers.

Committee reports:

- Finance - Flo Evans passed out financial report covering Jan - May 2019. Rentals are covering current expenses. All Boys and Girls State expenses were covered by outside donations and we have \$50 for next year.
- Membership – Chuck Hurley not present. We need two new members to be 100% by end of Jun 2019. The new recruiting year starts 1 Jul 2019. Dave Bergman will be taking over after the election.
- Building – Tom Poulton no report
- Rental - Mark Eucker stated nothing major. Have a large number of graduation parties scheduled.
- Americanism - Glen Golden not present.
- Service Officer - Tim Dickerson reported that he recently helped a widow with some benefit issues.
- Adjutant - David Troutman posted the June 2019 minutes and newsletter.

Unfinished Business:

- Wrap of Memorial Day March. Bill Laidley upgraded the trailer and attached the chairs. The trailer worked well for the members.
- Requested if any other volunteers to attend the Department of Ohio Annual Convention 28-30 Jun in Toledo, OH.

New Business:

- The city may widen College Avenue for the bike path, but no major impact to the post.

Good of the Legion announcements:

- The Westerville Boys and Girls State Representatives are invited to the August 2019 meeting to discuss their experiences.
- There will be no July meeting or Veterans Breakfast.
- Congressman Troy Balderson will legislate and programs pertaining to veterans.
- Reminder about 17 Jun 2019 Veterans breakfast at 0900 at the Post and nonmembers are always welcome.
- Steve Ebersol, 12th District, announced their upcoming 14 Jun 2019 Flag Retirement Ceremony. He also reminded members to sign up for their newsletter that has some really great info and feed information about our post to the District for inclusion in the newsletter. He also serves on Representative Balderson's Veteran Advisory Committee and shared some information regarding the committee's purpose.
- The Commander reminded the membership about the November Veterans Dinner.
- The Commander also announced that his son retired after spending over 27 years in service to our great nation.
- Bill Tate announced that there would be no Westerville Flag Day Ceremony this year due to the construction at First Responders Park. It is planned for 2020.

Meeting adjourned at 2000 – *Respectfully submitted, David Troutman, Adjutant*

Meetings and Events Calendar

NOTE: Unless otherwise stated, all American Legion Post 171 meetings and events are at the Post Hall at 393 E. College Ave., Westerville, Ohio 43081. Veterans of Foreign Wars Post 7883 also meets at the Post Hall.

- 7 Aug 2019: Post Meeting at 1900
 - 21 Aug 2019: Veterans Breakfast at the Post from 0900 until complete
 - 9 Nov 2019: Combined Veterans Day Dinner Honoring Police and Fire and Post 171 100th Anniversary at Post 171 Facility
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American Legion Young-Budd Post 171

393 E. College Ave.
Westerville, Ohio 43081
(614) 891-0171
<http://post171.org>

POST 171 TRUSTEES

Mike Etling, 614-496-8864, michaeletling2@gmail.com
Harold "Sonny" Evans, 614-899-2623, hjevans1956@yahoo.com
Tom Poulton, (614) 783-1950, ltctrpret@yahoo.com

2018-19 OFFICERS

Commander: John McElhaney, 614-392-2703, jrmcelhaney@earthlink.net
1st Vice Commander: Dave Bergman, 614-327-5817, dbergmanp2v@gmail.com
2nd Vice Commander: Ron Leonard, cell 614-2830, rleon95596@aol.com
3rd Vice Commander: Chuck Hurley, 614-882-1575, chuckhurley1938@gmail.com
Adjutant: David Troutman, cell 717-580-2155, david.s.troutman@gmail.com
Finance Officer: Flo Evans, 614-403-3846, floevans171@gmail.com
Service Officer: Tim Dickerson, 614-787-3699, todickerson@aol.com
Service Officer: George Williams, 614-537-1881, gfwilliams42@gmail.com
Sergeant-at-Arms: Bill Laidley, mrmallmail38@gmail.com
Chaplain: Mike Boone, 614-895-3308, brotherboone@aol.com
Judge Advocate: Chris Curry, 614-423-8324, christophertc@yahoo.com
Historian: Vern Pack, 614-895-2102, vern7@earthlink.net
Rental Manager: Mark Eucker, 614-891-0171, markeucker1955@gmail.com

POSTINGS is edited and produced by Adjutant David Troutman (contact info above); call or email him with any article submissions and story ideas. It is distributed by 1st Vice Commander Chuck Hurley and Marilu Hurley (contact info above); call or email them with any changes in email addresses or other updates for the roster.