

RESOLUTION

Resolution No. 2618

Subject Dues Complaint

WHEREAS, over the course of decades, The American Legion for the Department of New York (“DNY”) was responsible for collection and disbursement to each of the various Counties in the DNY the monies collected for each Counties dues by each Post (“Collections”);

WHEREAS, over the past DNY year, DNY has shifted responsibility for Collections to each County via DNY’s Constitution, Article X, Section 1;

WHEREAS, and with regard to such Collections, nowhere in the National Constitution for the American Legion, and specifically at its Article 10 which addresses the issue of Finances, is it (a) required that a Posts within a County (or otherwise District if applicable) remit dues directly to said County (or District if applicable), nor (b) prohibited DNY from making and remitting dues to a County directly on behalf of its constituent Posts;

WHEREAS, upon information and belief, the shifting of responsibilities for Collections to the Counties places great hardship to some if not all such Counties, not limited to having to in effect chase down each Post for such payment at vast cost to each such County in terms of both the monies collected and time expended by their Finance Officer/Treasurer and Membership Chair;

WHEREAS, by way of example, in the County of Westchester (“WCAL”), in 2024-25 year, based upon a membership of 1,358 dues were collected for 1,078 members (or under 80%), and thus dues for 280 members were unaccounted, resulting in a shortfall in WCAL Collections of \$1,680 in anticipated revenue;

WHEREAS, by way of further example, and suggesting this is a spreading problem, for WCAL in 2025-26 year, based upon a membership of 1,319 dues were collected for 768 members (or under 60%), and thus dues for 551 members were unaccounted, resulting in a shortfall in WCAL Collections of \$3,306 in anticipated revenue;

WHEREAS, and in that same WCAL, the Membership Chair and others in leadership positions spent countless hours of time in attempting to obtain full payment of such dues by cajole or otherwise, and via phone, email, and regular mail to no ultimate avail;

WHEREAS, to “penalize” each such Post for a “failure to pay County dues” neither WCAL, nor any other County in the DNY has any enforcement mechanism but, per direction of DNY, that a County may threaten to “withhold membership cards” (“Punish”);

WHEREAS, it is further posited that to Punish a Post is injurious to our American Legion itself as it places WCAL, or any other County, in a position adversarial to the very Posts it and they are expected to serve and support, and so to encourage Post participation within each of their respective Counties;

WHEREAS, should some other or further efforts to collect such unpaid County dues, such as acting against a Post's Charter, would be a further cost of time and effort to a County Judge Advocate and others in WCAL or any other County, and ultimately shall necessarily be brought to the DNY Judge Advocate, its Adjutant and others for further actions; now therefore be it:

RESOLVED, that The American Legion Department of New York in convention assembled July 16th-18th, 2026, in Syracuse, New York, by its resumption of the prior practice for Collections to be thereupon collected from the dues of its members, and whereupon same shall distributed in full to each County by check as was performed for those decades prior to DNY year 2024-25 and so amend its Constitution, Article X, Section 1 to in sum and substance set forth:

When a Post processes membership in a Post Online Transmittal, they pay the Department per capita plus the National per capita **plus the County per capita** for each Member in the transmittal. The County per capita for each Member is then to be paid directly and expeditiously by the **Department** in the amount set forth by the County [remainder of sentence deleted].

Annual dues forwarded to The Department shall be an amount payable to The Department as approved by a previous Department Convention in addition to whatever amount is required to be paid to The National Headquarters not already paid by Post or Member; of this sum, an amount will be determined by a previous Department Convention mandate. When a Post forwards membership in a paper transmittal to The Department for processing, they must include payment for the Department per capita plus the National per capita **plus the County per capita** for each Member in the transmittal. **The County per capita for each Member is then to be paid directly and expeditiously to the County from the remainder of total dues collected by the Post.**

Annual dues paid directly to The National Headquarters online by Members will be reconciled monthly and forwarded from National to The Department Headquarters, minus the National per capita for each Member. The Department will then forward monthly the remaining dues, minus the Department per capita **and the County per capita for each Member**, to The Posts in the form of a credit; checks (ACH) will be issued monthly to Posts that have reached an amount of credit determined by The Department Headquarters.

American Legion Department of New York

FOR CONVENTION COMMITTEE USE

Approved _____ Rejected _____

Approved with Amendments _____

Consolidated with _____

Referred to Standing Committee on

NEC and Finance for Indefinite Study

Received and Recorded: July 15th, 2026

Other Action:

Signature: Frank J. Peters
(Chairman)



Adjutant Signature

Department Adjutant

Title

Below section to be completed when resolution
is submitted from another authorized source.

Frank J. Peters, Chairman

Name

Department Resolutions Committee

Title