



**AMERICAN LEGION
POST 176
CONSTITUTION**

PREAMBLE

For God and Country, we associate ourselves together for the following purposes:

- To uphold and defend the Constitution of the United States of America;
- To maintain law and order;
- To foster and perpetuate a one hundred percent Americanism;
- To preserve the memories and incidents of our associations in the Great Wars;
- To inculcate a sense of individual obligation to the community, State and Nation;
- To combat the autocracy of both the classes and the masses;
- To make right the master of might;
- To promote peace and good will on earth;
- To safeguard and transmit to posterity the principles of justice, freedom and democracy;
- To consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

CONSTITUTION

ARTICLE I

Name

Section 1. The name of this organization shall be SPRINGFIELD, VIRGINIA, POST NO. 176, THE AMERICAN LEGION, INCORPORATED, hereinafter referred to as "Post", "the Post", and/or "this Post".

Section 2. This Post is incorporated as a 501 (c) 19, Veterans' organization, pursuant to Section 13.1-912 of the code of Virginia.

ARTICLE II

Objectives

Section 1. The objectives and purposes of this Post is to promote the principles and policies set forth in the Preamble and the National and Departmental Constitution of The American Legion.

ARTICLE III

Nature

Section 1. This Post is a civilian organization and membership therein does not increase liability for military or police service.

Section 2. This organization shall be absolutely non-political and non-sectarian and shall not be used for the dissemination of partisan principles for the promotion of the candidacy of any person seeking public office or preferment.

Section 3. Rank does not exist in The American Legion. No member shall be addressed by his/her military title in any meeting of the Post.

ARTICLE IV

Membership

Section 1. Eligibility for membership in this Post shall be as prescribed by the National Constitution of The American Legion.

Section 2. Applications and eligibility for membership shall be in writing and presented to the Membership Chairperson, or their designee, by examination of the applicant's DD-214 or other designated documents as prescribed in the National Constitution and By-Laws. Members transferring into the Post are required to prove eligibility for certification requirements described in this section.

Section 3. Application of membership shall be voted upon at the next Post meeting following the making of such application. A rejected application shall not again be considered until after the expiration of six months from the date of rejection.

ARTICLE V

Discipline

Section 1. A member of this Post may be expelled, by a two-thirds vote by the members present at a membership meeting, after charges have been filed in writing. The procedures specified in Article IV of the Department By-Laws shall be followed.

Section 2. A member who has been expelled or suspended from this Post for any cause may be reinstated to membership by a two-thirds vote of the membership present in a regularly scheduled Post meeting.

Section 3. It is the determination of this Post that it shall not accept membership of a member who has been suspended or expelled from another Post. Further this Post will inform Department and all other Post in this District of any member of this Post who has been expelled or suspended.

ARTICLE VI

Officers

Section 1. The administration of this Post shall be under the supervision of an Executive Committee (EXCOM) on behalf of the Members. The EXCOM shall consist of the elected officers as listed in Section 2 of this Article, the Immediate Past Commander and three Members -at-large.

Section 2. The elected officers of this Post shall be a Commander, First Vice-Commander, Second Vice-Commander, Third Vice-Commander, Adjutant, Finance Officer, Judge Advocate, Service Officer, Chaplain, Historian, and Sergeant-at-Arms. All candidates for Post officer positions shall be identified by a Nominating Committee or from the floor at the regular April Post 176 General membership meeting (GMM) All Post 176 officers will be elected annually at the May General Membership meeting.

Section 3. Any Post 176 member can hold the position of Commander for consecutive one year terms for a maximum of three years in a row. The same member is eligible to run for Commander following a one year absence. However, if no successor is identified, the current Commander may stay in his/her position until an election of a new Commander is decided.

Section 4. A total of three (3) Members-at-large will be nominated and elected via the process identified in section 2, above. Each will be elected for a three year position, staggered, so one new Member-at-large is elected each year. If a Member-at-large cannot complete his/her three year term, the Commander will appoint a Post Member to complete the "Legion Year" term and a replacement will be elected by the membership at the May election to complete the prior three year term.

Section 5. A Nominating Committee, consisting of a minimum of three (3) members, shall be appointed by the Commander to identify candidates and organize the Post election, scheduled for the May General Membership Meeting (GMM). The Commander can not serve as a member of the nominating Committee.

Section 6. Every member of this Post, in good standing, is eligible to hold office or Member-at-large designation. Any candidate for Post Commander must have held an elected Post 176 officer position or Member-at-large designation for two years prior to running for Post Commander.

Section 7. Any officer or Executive Member-at-Large may be removed from office for poor performance or absenteeism from three meetings without being excused from each meeting by a two-thirds vote of the members voting at any regular Post GMM, provided the action was announced during the previous Post GMM, and announced in the previous newsletter or special Communication to the membership.

ARTICLE VII

Charter Members

Section 1. Members who joined this Post on or before January 1, 1956, shall be known as charter members of SPRINGFIELD, VIRGINIA, POST NO. 176, THE AMERICAN LEGION, INCORPORATED.

ARTICLE VIII

Sons of the American Legion

Section 1. Membership in the Sons of the American Legion shall be prescribed by the National Constitution of The American Legion.

ARTICLE IX

American Legion Auxiliary

Section 1. Membership in the Auxiliary shall be prescribed by the National Constitution of The American Legion.

ARTICLE X

American Legion Riders

Section 1. Membership in the Legion Riders shall be prescribed by the Department of Virginia Internal Affairs committee.

ARTICLE XI

Amendments

Section 1. This Constitution is adopted subject to the provisions of the National Constitution of The American Legion and of the Department of Virginia Constitution. Any amendments to said National Constitution or Department Constitution, which is in conflict with any provision hereof, shall be regarded as automatically repealing or modifying the provisions of this constitution to the extent of such conflict.

Section 2. This Constitution may be amended at the July regular Post meeting by vote of members attending such regular meeting. Providing that the proposed amendment shall have been submitted in writing and read at the preceding June regular meeting of this Post, and providing further, that written notice shall be given to all members at least ten days in advance of the date when such amendment is to be voted upon.