

THE AMERICAN LEGION
NATIONAL HEADQUARTERS
INDIANAPOLIS, INDIANA

DATE: August 5, 2016

MEMO TO: Department Commanders
Department Adjutants
National Executive Committeemen
National Vice Commanders

FROM: Dan Wheeler, National Adjutant

SUBJECT: AMERICAN LEGION RIDERS© PROGRAM
RECOMMENDATIONS

Re: *Resolution No. 35: "American Legion Riders as a National Program"*
Resolution No. 32: "Amend Resolution 35: "American Legion Riders as a National Program."
Resolution No. 11, "Rules and Regulations Governing Use of the Name and Emblems of The American Legion,"

The National American Legion Riders Advisory Committee, meeting in Indianapolis March 5-6, 2015, recommended to the national headquarters that additional program guidance be provided to the departments and posts regarding the subject resolutions.

1. Patch wear and uniformity of ALR clothing and apparel.

The American Legion has long held the position that patch wear is an intensely personal statement by our members, similar in tradition to the right side of the Legion Cap itself. Generally, we should not tell a Rider how to arrange his or her patches, or what they can or cannot wear, unless such arrangement or display brings discredit upon the ALR program, implies an improper association with an outside organization, or infringes on our trademarks. If ALR chapters or department programs wish to adopt a uniform dress code for vests and patches, that is their decision. National will not mandate a dress code other than to take the appropriate action to protect the trademarks of the organization.

2. Councils of Clubs (CoC) affiliations.

American Legion posts and ALR chapters do not have authority to enter into any formal association or club/council membership with any outside organization that may act or vote in any manner outside the control of The American Legion. A copy of the pertinent Resolution No. 37, May 4-5, 1988, is appended to this memo and available at www.legion.org/riders/resources.

3. Rockers and Trademarks.

Rockers may seem to be discouraged or unauthorized by Resolution 35 for fear of trademark infringement. In fact, rockers do not violate the trademarked ALR logo and are available from

Flag and Emblem Sales. Emblem also sells patches with custom embroidery on the field of the patch outside of the trademark area. Such rocker patches and lettering is outside the trademark image (below) and does not infringe on the mark itself. Rockers cannot encircle or touch the emblem of The American Legion Riders©.



This is the protected logo artwork, available at www.legion.org/emblem/download for use on websites, Facebook pages, and other social media under the direct control of the post or department. No other design is authorized as a logo of The American Legion Riders unless authorized by the National Adjutant. Surrounding text or lettering may not encircle or touch the emblem.



Examples of trademark infringement, unapproved logos, or improper display because they are different from the trademark. The words “American Legion Riders” are trademarked protected as is The American Legion logo itself. The third image has an improper (multicolored) background behind the mark.

Rockers and placement of patches are sensitive in some parts of the country and may often be misinterpreted. The decision to wear rockers (additional patches above and/or below the main patch) should be left to the local chapters and/or department ALR programs consistent with local preference and subject to final approval of the department executive committees. Many departments have developed standardizations for patch wear and rockers and have coordinated with Emblem Sales to help control patch sales within their boundaries. A growing number of programs have also dropped requirements for rockers or additional embroidery on the main patch (largely because of the high cost to their members).

4. “Support,” “Volunteer,” and/or “Honorary” Categories.

American Legion Rider “Supporter” status is a post or department determination granted only to those Legion Family members who go “beyond the call” to support the ALR program. Supporting, honorary, or volunteer categories are allowable—but only for current members of The American Legion, the The American Legion Auxiliary, or The Sons of The American Legion. At the discretion of the department or post the decision to provide them with limited voting privileges or other privileges, or an identifying “support” patch, is discretionary. Further, the departments and/or posts may decide to restrict any association with the American Legion Riders to motorcycle owners and operators only. Under no circumstances will non-Legion Family be offered the status of supporter, honorary member, or volunteer, since all of

these terms imply a form of membership not defined in The American Legion national constitution.

5. Special rules that apply to subsidiary programs of The American Legion.

The American Legion Riders programs, like The Sons of The American Legion detachments and squadrons, American Legion Baseball programs and all other programs that wear identifying marks and names are subject to 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. The American Legion has no choice or room to maneuver in the area of trademark law, which requires “constant and continuous control” over all subsidiary programs wearing our trademarks and using our name.

All programs (subsidiaries) of a post of The American Legion must meet the following requirements:

1. **All officers, directors, trustees, etc. must be named by the post.** Elections for the Sons of The American Legion and The American Legion Riders, as examples, serve only to nominate the new slate of officers—whom are then named or installed by the post commander and/or the post executive committee. The post may remove and replace officers of subsidiary programs at will.
2. **All vacancies in the subsidiary program must be filled by the post.**
3. **The subsidiary program must report to the post no less frequently than monthly.** These reports must include financial reports, if appropriate to the program.
4. **The post treasurer or finance officer must be a signatory on all accounts.**
5. **All amendments to articles of incorporation or bylaws must be approved by the post.** If the current text of such documents has not been approved by the post, it too must be so approved.

All references to posts also apply to the various departments in the appropriate situations.

For further information regarding the rules of subsidiaries under American trademark law, refer to *The American Legion Name and Emblem Use and Protection Guide*, available from the national headquarters, or contact the National Judge Advocate at (317) 630-1224.

**THE AMERICAN LEGION
INDIANAPOLIS, INDIANA
October 17-18, 2007**

Resolution No. 35: American Legion Riders as a National Program

WHEREAS, American Legion Riders (ALR) was established in 1993 as a Post level activity at Garden City American Legion Post 396, Department of Michigan; and

WHEREAS, Today there are more than 700 The ALR groups at the Post, District and Department levels whose membership consists of members of The American Legion, The American Legion Auxiliary or Sons of The American Legion who share a common interest in motorcycle ownership and pleasure riding for veterans' causes; and

WHEREAS, The ALR groups exist in at least 48 states and three foreign countries and evidence a growth pattern over the last five years that reflects a genuine interest in ALR for both current and potential members of The American Legion Family; and

WHEREAS, The purpose of ALR is to use their common interest and association to promote the aims and purposes of The American Legion as well as the promotion of motorcycle safety and awareness; and

WHEREAS, During the 2006 and 2007 calendar years, ALR raised more than \$500,000 for The American Legion Legacy Scholarship while at the local level ALR groups contributions were valued at more than \$75,000 in contribution or volunteer hours to support the programs of The American Legion; and

WHEREAS, Membership growth in The American Legion has increased in many Posts that have supported ALR and in some cases these members now serve in leadership positions within The American Legion; and

WHEREAS, ALR support those serving in uniform today through participation in such activities as the Patriot Guard, which was founded by the Department of Kansas ALR to provide escorts for our fallen heroes returning from war and taking care of the needs of the families left behind; and

WHEREAS, Many Posts and Departments of The American Legion have already acknowledged their ALR groups as a program and have established guidelines for ALR to follow; and

WHEREAS, In April 2007 an Ad-Hoc Committee appointed by the National Commander met in Indianapolis to discuss the future of ALR as a program based on guidelines developed by the Internal Affairs Commission in 2003; and

WHEREAS, These guidelines, which were validated with minor additions by the Ad-Hoc Committee, will serve as the standard under which all current and future The ALR groups will operate; and

WHEREAS, As The ALR groups continue to increase in number it would be beneficial to both The American Legion and ALR to establish basic guidelines for consistency in all aspects of The ALR groups; and

WHEREAS, The ALR status has been reviewed by the Internal Affairs Commission, which recommends the ALR become a National program; and

WHEREAS, National Finance Commission has reviewed ALR and the need for funding and insurance for the National organization for this program, recommends this program to the National Executive Committee; now, therefore, be it

RESOLVED, By The National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, on October 17-18, 2007, That The American Legion adopt American Legion Riders (ALR) as a national program; and, be it further

RESOLVED, That all The American Legion Rider groups must be a program supported by a Post or Department of The American Legion and shall uphold the declared principles of The American Legion as well as conform to and abide by the regulations and decisions of the Department, Post or other duly constituted Department governing body; and, be it further

RESOLVED, That the following guidelines are recommended for The ALR program of The American Legion:

1. All members of The American Legion Riders shall be current members of The American Legion, American Legion Auxiliary or Sons of The American Legion
2. Each ALR member shall own a motorcycle
3. Each ALR member shall be properly licensed and insured as required by state law
4. All ALR members shall strive to maintain the image of The American Legion, at all times upholding The American Legion name and emblem, which symbolizes the integrity and principles of this great organization.
5. All The ALR groups shall avoid the perception of being a "motorcycle club" or biker club".
6. The only recognized The American Legion Rider logo is that which is copyrighted and sold through The American Legion National Emblem sales.
7. All Members will obey the motorcycle laws of their state.
8. No use of rockers with the ALR patch because touching the patch violates trademark laws of the ALR patch.
9. Sponsoring organization (Post and Department) will review liability insurance coverage to ensure that adequate coverage is available to cover the organization to include coverage for any specific special riding events; and, be it further

RESOLVED, That American Legion Rider groups shall abide by The American Legion Constitution and By-laws as well as the established Post and Department directives; and, be it finally

RESOLVED, That The American Legion National Headquarters and the respective Departments shall maintain general oversight of ALR Program as regards to proper use of the name and emblem of The American Legion, ALR and The American Legion Legacy Run, and compliance with the National Constitution and By-Laws of The American Legion.

**The American Legion
Indianapolis, Indiana
October 17-18, 2007**

Resolution No. 32: Amend Resolution 35: “American Legion Riders as a National Program”

WHEREAS, American Legion Riders (ALR) was established in 1993 as a Post level activity at Garden City American Legion Post 396, Department of Michigan; and

WHEREAS, The ALR groups have since expanded to more than 1,200 local chapters in all 50 domestic departments and in two foreign departments; and

WHEREAS, Membership in the ALR has grown to include more than 100,000 members of The American Legion, The American Legion Auxiliary, and the Sons of The American Legion; and

WHEREAS, Resolution 35: “American Legion Riders as a National Program”, NEC, October 17-18, 2007 has been a guiding document for the formation of post and department ALR programs under the support of the hosting posts and departments; and

WHEREAS, The third resolve clause in Resolution 35 contains recommended guidelines for such programs; and

WHEREAS, The National Commander’s ALR current Ad Hoc Committee to The Internal Affairs Commission has identified ambiguous content regarding eligibility criteria for The American Legion Riders and made specific recommendations for improving such content; and

WHEREAS, It is in the best interest of The American Legion to review and amend, from time to time, such guidelines in efforts to provide more effective direction to The American Legion Riders programs; 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, 2011, That guideline numbers 2 and 3 of the third resolving clause of Resolution 35: “American Legion Riders as a National Program”, NEC, October 17-18, 2007, which states:

- “2. Each ALR member shall own a motorcycle
- 3. Each ALR member shall be properly licensed and insured as required by state law”

Shall be amended as follows:

- “2. Each ALR member shall establish and maintain membership by owning, individually or through marriage, a motorcycle licensed and insured as required by state law**
- 3. ALR programs may allow for continued membership for those members who have given up motorcycle ownership because of age, illness, injury, or other reasons outside the member’s control”**

**THE AMERICAN LEGION
INDIANAPOLIS, INDIANA
May 4-5, 1988**

**Resolution No. 37: Reaffirmation of The American Legion Policy Concerning
Affiliation With Other Organizations**

WHEREAS, The American Legion adopted Resolution No. 6, National Executive Committee, October 10-11-12, 1952, concerning the affiliation of The American Legion with other organizations; and

WHEREAS, The adoption of that resolution was a reaffirmation of a long-established policy of The American Legion which has proved its wisdom by prohibiting The American Legion from joining any such organization, committee, association, council, or group in which The American Legion is not permitted a full voice and vote in determining matters of policy of such organization, committee, association, council or group; 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, 1988, That The American Legion shall not be a member of, or affiliated with, any organization, committee, association, council or group whereby The American Legion might be committed to a policy contrary to that adopted by The American Legion; and, be it finally

RESOLVED, That the National Adjutant is instructed to circulate this resolution to all Departments and National Officers of The American Legion on a yearly basis.