



THE AMERICAN LEGION POST SUPPLEMENTAL CHARTER APPLICATION

(APPLICATION MUST BE SUBMITTED THROUGH STATE DEPARTMENT HEADQUARTERS OFFICE)

To The American Legion, Department of

We, the members of _____ Post No. _____ having functioned under a regular charter of The American Legion, hereby request the issuance of a supplemental charter in our corporate capacity. Since the issuance of said original charter, this Post has incorporated under the state laws of _____ for the sole purpose of protecting individual members thereof from liability in the event of litigation against said Post. This Post has since its incorporation continued its allegiance to the National Constitution and By-Laws of The American Legion and the _____ Department thereof, and the National organization of The American Legion and the _____ Department have continued to recognize said Post as a subordinate unit of The American Legion and of said Department regardless of its incorporation. The said Post in its corporate capacity makes application for a supplemental charter and by said application it acknowledges and will continue to be bound by all the provisions of the Constitution and By-Laws of The American Legion and the Department of _____ and any and all amendments thereof, and supplements thereto, or repealer's thereof, now existing or which in the future may be adopted, as well as all the rules, regulations and orders heretofore, or hereafter, promulgated in pursuance thereof.

1. Present Charter Name

Old EIN # -

2. Incorporated Name

New EIN # -

3. City or Town in which Post is located

4. Date of Incorporation of Post

(Date Format: mm/dd/yyyy (select date by clicking inside box)

5. Attach a copy of the Certification of Incorporation / Articles of Incorporation paperwork.

Please include the new name, Incorporated Name in its application to the Department of Internal Revenue for a group exemption so that this Post may be exempt from the payment of Federal Income Tax under the provisions of Section 501 (c)(19) of the Internal Revenue Code of 1954, as amended.

Post Commander
Type your First and Last Name to serve as your digital signature

Post Adjutant
Type your First and Last Name to serve as your digital signature

This section to be completed by the Department Headquarters state office. Approved with recommendation that charter be issued.

Date

Date Format: mm/dd/yyyy (select date by clicking inside above box)

Department Commander or Adjutant
Type your First and Last Name to serve as your digital signature

This section to be completed by The American Legion National Headquarters Staff only:

Supplemental Charter Date

National Adjutant



THE AMERICAN LEGION

UNDERSTANDING THE POST SUPPLEMENTAL CHARTER APPLICATION

Posts should incorporate to limit the liability of its members It is crucial for the name of the Post to match on both the charter application submitted to The American Legion and on the official incorporation documents issued by the Secretary of State's Office (except in states like Maryland where there may be differences).

The application should include the official name of the Post as listed on the current charter. The Articles of Incorporation should also have the same name as the Post's legal name, with the addition of "Inc." or similar words. It is important to note that Posts are not allowed to change their legal name using a Supplemental Charter.

- When you file for a permanent charter, that name is entered as the legal name of the Post.
- When filing for an EIN # with the IRS, make sure the legal post name is listed.
- When you file for incorporation with your states Secretary of States' office, list the legal post name to match that of the charter on all incorporation forms, IRS forms etc. and protect the individual post members from being included in any lawsuits in the future.

For example:

- Temporary charter application listed the post name as: Lester Paul Post 1234
- Permanent charter application listed the post name as: Casey Jones Post 1234
- Post legal name should read: Casey Jones Post 1234

When the Post incorporates, the legal name would be listed as Casey Jones Post 1234, Inc. unless a name change has been filed; in which case the correct name should be used.

A Supplemental Charter would be issued as Casey Jones American Legion Post 1234, Inc. and/or Casey Jones American Legion Post No. 1234, Inc. which is now the legal post name and National Headquarters receives all required paperwork from the posts American Legion Department Headquarters office.

An officer of the Post fills out the form SS-4 form, legal name of the post should be listed as Casey Jones American Legion Post 1234, Inc. and/or Casey Jones Post No. 1234, Inc. So now we have all the records agreeing with each other and there is only one entity.

Apply for the SS-4 online at www.irs.gov/businesses/small-businesses-self-employed/apply-for-an-employer-identification-number-ein-online or access the (SS-4 Instructions) at www.irs.gov/pub/irs-pdf/iss4.pdf and (SS-4 Form) at www.irs.gov/pub/irs-pdf/fss4.pdf

Visit www.legion.org/about/organization/departments to locate your state American Legion Department Headquarters office contact information if you have any questions on this process.

To obtain the Supplemental charter guidelines and application, visit the national website at www.legion.org/information-center/in-the-media/publications/organization-membership-awards to find all current American Legion Post and SAL Squadron charter related applications and forms.

Questions: If you have any questions, contact National Headquarters, Internal Affairs & Membership Division at email IA@legion.org.

POSTS SHOULD BECOME INCORPORATED TO PROTECT THE MEMBERS FROM ANY POSSIBLE LAWSUITS

Revised: FEB / 2025