



*The DAV,*

*its legislative process . . .*

*and you!*

*“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”*

*The First Amendment to the  
Constitution of the United States*

## **FOREWORD**

All American citizens, acting individually or collectively, have the constitutionally guaranteed right to petition their government for a “redress of grievances.” Simply speaking, the First Amendment to our Constitution gives a course of action to anyone who has ever thrown up their hands in frustration and disgust and cried, “There ought to be a law!”

Well, there can be a law and it can originate from *you* and others who feel as you do.

In terms of the Disabled American Veterans and its federal legislative objectives, this means that you and I and our fellow DAV members, united in purpose and acting in concert, can petition our government in Washington, D.C. to take a course of action that we feel to be in the best interests of America’s service-connected disabled veterans, their dependents and survivors.

The information provided in this pamphlet is intended to acquaint you with the federal legislative actions of our organization, not only those conducted and articulated by the DAV staff located at National Service and Legislative Headquarters in Washington, D.C., but all important supplemental and supportive actions provided by DAV/Auxiliary members across the country.

### **The Resolution -- Forerunner of DAV Initiated Legislation**

A House or Senate bill, passed by the Congress and signed into law by the President, did not just “happen” to come along. It was born in the mind of someone, in response to a recognized need. The originator of the idea could be someone in the White House -- the President himself, or an advisor. It could be a member of Congress, a legislative assistant or a staff member of some standing committee. Perhaps an employee of any one of a number of federal agencies first came up with the idea. Perhaps it was a lobbyist -- those individuals who work in Washington for a myriad of “interest groups” located throughout the country (and the DAV is such an interest group).

But whoever acted as the “catalyst” in Washington and took the initial step toward bill introduction in the Congress, chances are this action resulted from “input” received from some other source -- more than likely individuals who would be affected by the legislation.

This certainly holds true for the Disabled American Veterans.

The annual Legislative Programs of the DAV consist of those measures that have been approved in resolution form each year by the delegates to our annual National Conventions, or,

in the absence of a National Convention mandate, those resolutions approved by the National Executive Committee. Mandates and resolutions adopted at each National Convention shall be effective only until the next National Convention. In the absence of any mandate to cover any matter wherein laws already enacted by Congress are under attack, the National Commander, National Adjutant, and National Executive Committee are placed under a continuing mandate to resist and oppose any such changes in laws or regulations advocated by any Presidential commission, by Executive Order, by special investigative commission created by congress or by any legislative bill sponsored by any standing or special committee of the Congress that would repeal or deprive veterans or their dependents of benefits already granted by such laws.

DAV resolutions, conceived by individual DAV members, chapters, or state departments, can thus be viewed as the initial vehicles used in the promotion of DAV legislative objectives. To introduce a resolution, a member must do so at the Chapter level. If it is adopted, it would ascend to the Department level, and if adopted there, it would lastly ascend to the National level. If a legislative resolution is adopted at the National Convention, our agenda would include efforts to affect legislation accordingly.

**Proper construction** -- As the foundation of our legislative program, it is important that the DAV resolution be fully understood in terms of its basic purpose and proper construction. If resolutions are ill-conceived or badly constructed, they act as poor standard-bearers for our legislative mandates, and they cause unnecessary problems for those who must identify their purposes and translate them into legislative form. On the other hand, properly constructed resolutions provide identifiable goals that are easily transposed into bill form.

Webster's Dictionary defines the word "resolution" as a "formal expression of opinion, will or intent, voted by an official body or assembled group." We like to think of a resolution as the process of putting ideas into words and, hopefully, putting these words into action.

The best way to deal with the proper construction of a resolution is to first break it down into its component parts. In doing so, we find three that can be readily labeled:

Part One, the Title or Statement of Purpose;

Part Two, the Whereas Clauses or Justification of Purpose;

Part Three, the Resolved Clause or Final Declaration and Course of Action to Achieve the Purpose.

Part One, the Title, should be as concise as possible. A lengthy title will often contain information that should be presented in the "Whereas Clauses" and thus creates the impression of rambling along. In many instances, a lengthy title wrongfully attempts to tell it all, thereby upstaging the resolution and making everything that follows anti-climactic.

However, a title should not be made too short. Titles of one or two words only will leave everyone completely in the dark about the actual purpose of a resolution. The object is not to keep a person guessing about the intent of the resolution, but to present a clear, instant recognition of its purpose.

Part Two, the Whereas Clauses, or Justification of Purpose, is the meat of a resolution. It is here that your sales pitch is made. Unfortunately, it is here that most people go astray, completely ruining an otherwise good resolution.

The most common and understandable error in this regard can be termed as the “overkill” syndrome -- too many “Whereas Clauses.” In an attempt to build as good a case as possible for their cause, many resolution writers fall victim to “overkill” and provide superfluous justifications. In making this error, there are too many “don’ts” that are violated.

A few examples are: don’t repeat yourself, don’t exaggerate, don’t go astray of the subject, don’t unduly antagonize others, don’t make unreasonable demands, etc.

Any one or a combination of these and other “don’ts” in a long-winded list of “Whereas Clauses” can be boring, create confusion, or cause any number of undesired reactions. In short, use the “Whereas Clauses” to make your point, not belabor it.

The purpose of Part Three, the Resolved Clause, is to explicitly express the course of action to be taken that will achieve your goal.

Here again, a resolution, good in all other respects, can be impaired by an improper “Resolved Clause.” For example, a common misuse of the “Resolved Clause” goes something like this:

**THEREFORE, BE IT RESOLVED**, by the Disabled American Veterans in National Convention assembled in New Orleans, Louisiana, July 28-August 1, 1996, that we support this goal.

“Resolved Clauses” of this type are vague about the necessary action to be taken and end the resolution in a very weak fashion. Be specific about the action to be taken.

It is also important to avoid the temptation of continuing to give “whereas” justifications in the “Resolved Clause.” Keep your “Resolved Clause” short and specific.

One final point, use the “AND BE IT FURTHER RESOLVED” addendum sparingly. Most commonly used to indicate parties (the President, members of the House and Senate, etc.) who are to receive copies of the resolution, the content of this clause is commonly misused by inserting unnecessary information or further justifications (“Whereas clauses”). If a doubt exists about using the “FURTHER RESOLVED” clause, then, as a rule of thumb, do not use it.

These guidelines should prove useful to those of you who will be drafting resolutions for DAV legislative and administrative goals. If followed, you should find yourself with a trim, hard-hitting, explicit resolution -- one that will prove to be an effective vehicle and will greatly improve the legislative effort here in Washington, D.C. (Resolution example follows.)

**EXAMPLE OF A PROPERLY CONSTRUCTED RESOLUTION**

Whereas Clauses  
Not verbose, provide  
solid, defensible justifications

Title  
Concise, to the point, instant  
recognition of purpose

CONCURRENT PAYMENTS OF VA DISABILITY COMPENSATION AND MILITARY  
RETIRED PAY ←

→ WHEREAS, ex-servicemembers who are retired from the military on length of service must waive a portion of their retired pay in order to receive disability compensation from the Department of Veterans Affairs; and

→ WHEREAS, it would be more equitable if the laws and regulations were changed to provide that in such cases the veteran would be entitled to receive both benefits concurrently since eligibility was established and earned under two entirely different sets of enabling laws and regulations; NOW

→ THEREFORE, BE IT RESOLVED that the Disabled American Veterans in National Convention assembled in New Orleans, Louisiana, July 28-August 1, 1996, supports legislation and changes in applicable regulations which would provide that a veteran who is retired for length of service and is later adjudicated as having service-connected disabilities, may receive concurrent benefits from the military department and from the VA without deduction from either.

\* \* \*

Resolved Clause  
Gives specific course of  
action to achieve goal

## **THE LEGISLATIVE PROCESS -- FROM RESOLUTION TO PUBLIC LAW**

Upon return from a National Convention, the Washington legislative staff takes the approved resolutions and separates them into two categories -- legislative and administrative.

Legislative resolutions are those whose goals can only be achieved, or best achieved, by Congressional passage and enactment into law. Administrative resolutions are those measures whose goals can only be achieved, or best achieved, administratively -- that is, by dealing with the federal agency involved.

A compensation increase is the most obvious example of a legislative resolution requiring statutory change. Extension of military commissary privileges to a broader category of service-connected disabled veterans would be an example of a goal that could be achieved administratively, through Department of Defense regulatory changes. Generally speaking, administrative resolutions become the responsibility of the National Service Director or the National Employment Director and their staffs, while legislative resolutions come under the purview of the National Legislative Director and his staff.

Once the legislative resolutions have been identified, the next step is to translate them into the appropriate technical language in anticipation of their being introduced in bill form in either the House or the Senate. Some measures, identical to resolutions of previous years, will already be in the Congress as bills, and drafting and reintroduction will not be necessary. However, this is not true in all cases.

Once a bill has been placed in its proper form, the next step is, of course, to get it introduced in the Congress. In this regard, the primary source of DAV legislative sponsors is the membership of the House and Senate Veterans' Affairs Committees. The Chairmen of these two Committees, Subcommittee Chairmen, and influential members of the Committees are usually approached with measures relating to their particular interests or sphere of influence. However, the DAV does not restrict itself to the Veterans' Affairs Committees alone for bill introduction. In cases where a particular member of Congress is known to be greatly interested in a specific bill, the DAV will approach such member with a request for bill introduction. Our organization has also been approached by individual members of Congress themselves with the request that they be permitted to sponsor a particular DAV bill.

After introduction in the Congress, bills are then referred to the appropriate standing committees, in our case, usually the House and Senate Veterans' Affairs Committees. However, during the course of a year, in addition to the Veterans' Affairs Committees, the DAV finds itself directly involved with such committees as: Appropriations, Budget, Government Operations, Armed Services, Ways and Means, Post Office and Civil Service, etc.

Once a veterans' bill has been assigned to a standing committee -- usually the House and Senate Veterans' Affairs Committees -- it is further referred to the appropriate House subcommittee (the Senate Veterans' Affairs Committee has no subcommittees). This brings us

to the crucial stage in the legislative process. For it is here that our organization must attempt to gain serious consideration of the measure by the subcommittees to the extent that Congressional hearings are scheduled. At this point, the lobbying activity of the DAV is most important and concentrated, and it is by no means conducted by the legislative staff in Washington, D.C. alone. Everyone in the DAV -- from the National Commander on down to the individual Chapter and DAV member -- is involved.

Our legislative program is, of course, formally submitted to the House and Senate Veterans' Affairs Committees during our National Commander's Legislative presentation which occurs early in each session of the Congress. However, even before this formal presentation has occurred, the national legislative staff has been in contact with Committee members and Committee staff members of the two Veterans' Affairs Committees. During informal meetings the national legislative staff attempts to gain the first serious and sympathetic consideration of our goals.

In this regard, it should be emphasized that the DAV has a close, harmonious working relationship with the professional staff members of the two Veterans' Affairs Committees. The support and cooperation of committee staffers are of paramount importance in gaining committee member support. Staff members are the "in-house" veterans' benefits experts of the Congress and, with the possible exception of one or two long-standing committee members, committee staffers are the acknowledged experts on veterans' benefits and services.

The committee staffers' advice is sought by the members of the committee and, to a great extent, is followed. A commitment of support from the professional staff members of the Veterans' Affairs Committees is of almost equal importance as that of a commitment of support given by the Chairmen of the Committees themselves. Similarly, opposition or simply lack of support on the part of a committee staffer can mean tough sledding in gaining the support of committee members. If at all possible, the DAV will attempt to work through the committee staffer in terms of promoting our legislative goals (as opposed to concentrating solely on the committee members themselves).

Coinciding with the DAV efforts in Washington are the individual efforts of DAV NSOs, departments, chapters, and members across the country. This involvement is usually in the form of a grassroots effort -- letter writing, telegram and personal contact campaigns. This legislative strategy is a vital tool in the overall DAV legislative effort. Many times members of Congress, who represent varied constituencies, will hold opposite views on issues. However, if there is one objective held in common by all 541 legislators on Capitol Hill, it is their overwhelming desire to be reelected. As a consequence, Congressional members do pay attention to the wishes of the "folks back home." Whenever possible, they will bow to their constituent demands. A vocal, timely constituent blitzkrieg can be a very important factor in gaining the successful passage of DAV legislative objectives.

Once Congressional hearings have been scheduled, the DAV Washington legislative staff will prepare and present testimony on bills that are of interest to our organization. The Congressional committee hearing process is, of course, an important forum for promoting DAV objectives to Congress.

Hearings on individual bills are usually held by the subcommittees of the full committees. The object is to get a subcommittee recommendation to the full committee which is in line with the DAV position. Achieving this, the next step is a full committee “mark up session” during which time the full committee acts on the subcommittee’s recommendations. At this time, any last minute additions or deletions to these recommendations can be made. Following full committee approval, the bill is then “ordered reported” to the floor of the House or Senate for full member consideration and, hopefully, passage.

Here again, depending on the bill and existing circumstances, the DAV lobbying efforts, both in Washington and across the country, could very well be in continuous force.

Once a bill has been approved by the House or the Senate, the entire process is repeated in the other legislative body. Many times, in fact, both the House and Senate are acting upon identical or similar legislation simultaneously.

Differences that usually exist between House and Senate passed versions must be resolved before the measure can be sent to the White House. This is usually done in the form of an “informal conference” -- the professional staff members of the two Veterans Affairs’ Committees meeting informally (though under direction of their Committee Chairmen) and “ironing out” the differences. If differences are of a major nature, a “formal conference,” composed of the members of the House and Senate Veterans’ Affairs Committees themselves, may be required.

Once an identical version has been agreed upon through either informal or formal conference, the legislation is then re-passed by both the House and Senate and then, finally, sent to the White House for Presidential signature.

“To veto or not to veto” is the question and, of course, when it is felt that a Presidential veto is likely, DAV efforts to influence a Presidential decision will be conducted. Such efforts may be in the form of a grassroots contact campaign aimed at the White House itself and/or by requesting influential persons in the President’s political party to intercede with him in our behalf.

The President’s signature on a DAV objective completes the legislative process.

### **GRASSROOTS CAMPAIGN**

We have mentioned the importance of grassroots actions by our membership in support of DAV legislative activities in Washington, D.C. Before providing a few guidelines on how departments and chapters can best organize and sustain a grassroots effort, perhaps a few words should be devoted to discussing the type of issue which would compel the DAV (in Washington) to call for such an all-out supportive campaign.

The first point to make is that the grassroots effort is undeniably our most effective legislative weapon. Precisely because of that fact, it must not be abused or used indiscriminately.

We have all heard the story about the “boy who cried wolf.” When the chips were down, and he really needed help, his past abuse of calling for the aid of others spelled his downfall.

The same is true with the DAV and its use of grassroots activity. If it is used frequently, on all issues both large and small, the time would come when our national membership would hear the call to arms and not respond, or only respond halfheartedly. If this occurred at a time when the struggle involved the future of an entire benefits program, the result would be disastrous.

For example, if the DAV lobbied for an 8 percent disability compensation increase and the Congress only appeared likely to approve a 7 percent or 7.5 percent increase, the DAV Washington staff, while working to convince the House and Senate Committees to opt for the higher rate of increase, would not feel compelled to go out with a grassroots campaign to get that additional one or one half percent increase in rates. From the standpoint of the size and importance of the benefit gained, its implications to our system of benefits as a whole, and the time and energy spent on conducting the effort, it would be an abuse or, perhaps, a misuse for the DAV Washington staff to initiate a nationwide grassroots effort.

Our system of veterans’ benefits and services is much better served by saving our “knock-out punches” for such issues as:

1. Preventing the downgrading of the VA’s Schedule for Rating Disabilities and opposing any detrimental change in the definition of service connection.
2. Opposing the federal taxation, means testing, or capping of VA disability compensation and service-connected death benefits.
3. Preserving the existence of the House and Senate Veterans’ Affairs Committees.
4. Obtaining adequate appropriations for the Department of Veterans Affairs.
5. Preserving the use of veterans’ preference in federal employment.

Are these issues recognizable? They should be if you have been active in the DAV in recent years. Each and every one of these goals is vital to the preservation of an important aspect of our benefits system.

So the first “rule of thumb” to be understood is that the grassroots effort should only be employed on a national scale when the issue is of fundamental importance. (Localized grassroots efforts, those aimed at a single member of the House or Senate and restricted to a single Congressional district or state, would be an exception to this rule.)

Once it has been decided that a particular issue is of fundamental importance and that a grassroots effort should be mobilized, there are several factors to take into account which relate to the success or failure of the effort itself.

**(1) Is the issue identifiable to our membership, that is, is it of such a nature that disabled veterans will definitely and readily perceive that it is important to them personally?**

For example, several years ago, in urging our membership to contact their elected officials in protest of legislation that would possibly subject VA benefits to federal taxation, there was no doubt in the minds of the DAV Washington legislative staff that our members would readily identify with this issue. With this realization, the DAV commenced this particular effort with a feeling of confidence (that was later justified).

On the other hand, if the average DAV member cannot easily identify with the issue -- which is, remember, of fundamental importance -- then it is the job of the DAV staff in Washington and those in leadership positions throughout the country to present the issue in such a fashion that will assure a good response.

The issue of preserving the five point federal job preference for non-disabled veterans is a case in point. DAV members, on the surface, would appear to have no "ax to grind" on this issue. However, if the five-point preference would have fallen, quite possibly the ten-point preference for disabled veterans would soon have followed. Also, the elimination of any major veterans benefits program was undesirable from the standpoint of the "precedent" it would have set (for future veteran program cut-back attempts).

The veterans' preference issue was presented in this light to DAV members across the country during our grassroots effort. The point was understood by our members and we achieved a fine and prolonged involvement from them in this struggle.

**(2) Is there sufficient time to wage a grassroots effort?**

The time factor is an extremely important consideration to be taken into account in deciding whether it is possible to mount a successful grassroots campaign and/or in what form the campaign should be mounted.

If the Washington office is going to our national membership and/or all DAV leaders throughout the country, experience has shown that, ideally, at least one week from date of initial contact must be allowed before it can be assumed that the vast majority of members have been informed. Then an additional two weeks is required before chapters and departments can start their own organized actions -- calling special meetings, planning strategy, etc. Another two weeks is then required before the grassroots contacts -- letters to Congressmen and Senators -- begin to be received in significant numbers. From this point, still another two to three weeks is required before the campaign "peaks" -- reaches maximum strength.

From the above, you can see that the ideal situation should allow the Washington legislative staff a lead time of some six weeks from date of membership notification to the date the issue is voted upon by the Congress.

If there is little or no lead time, the Washington office may be forced to initiate the effort through telephone or fax communications to certain DAV leaders (as opposed to a bulletin mailout) and/or ask for membership responses in the form of phone calls, telegrams, and personal visits to legislators.

Once a chapter has been called upon to help in a grassroots effort, what should it do?

Let's assume that there is sufficient lead time for an all-out effort and that chapters are being asked to contact both their U.S. Senators and their Representative in the House in support of a particular bill.

**Get the word out.** If a chapter meeting is scheduled coincident with the arrival of the legislative bulletin calling for a grassroots effort, certainly it should be placed on the chapter agenda and fully discussed. If a regular meeting is not scheduled for some time, chapters should call special meetings. If this is not possible, all members should be individually advised via a special chapter bulletin mailout or, if necessary, telephone contacts.

Auxiliary units may or may not have received the same "call to arms" but, in any event, they very definitely should be involved in the grassroots campaign effort. A coordinated, unified effort between DAV and Auxiliary members is most essential.

**Personal Contacts.** Nothing is more effective in terms of getting the attention of your legislators than a personal visit to their local office. If at all possible, chapter officers and perhaps a delegation of members should contact the legislator's local office. Senators have several local offices throughout a state. Members of the House have at least one and several have more than one in their Congressional Districts. Check your phone book for the office location and request an appointment to discuss the matter with the legislator's aide.

In addition to this "official" type of visit, it is effective for chapter members to arrange a schedule of visitations among themselves. In this way, every day two or three people can "drop in" at the local office of their legislator. You can be assured that if a local office suddenly has "wall-to-wall" DAV members and/or people stopping in every day, this fact will soon be relayed to the legislator in Washington. A top priority among all members of Congress is to know what is going on back in their own states and districts.

**The Letter.** Not everyone can visit their legislator's office but almost everyone can take ten minutes to write a letter. The constituent letter is the number one personalized communicative link between elected officials and the people who have placed them in office.

Second only to standing "knee deep" in a large group of constituents, a large and steady volume of mail on a single issue will play a major part in influencing your legislator's voting decision.

Letters should be individually written. *Never use a form letter.* Form letters and even, to a degree, “petition” letters (one letter with numerous signatures) are widely regarded by legislators and their aides as being the result of a few determined people, rather than indicative of a broad groundswell of public opinion. Remember, the “numbers game” is what it’s all about for your members of Congress. That is, each letter represents a vote, or several votes, during their next reelection attempt.

Don’t be abusive or antagonistic in your letters. Congressmen and their aides are people too, and just like you and me, are not necessarily “thrilled” about the idea of doing something for people who are unpleasant to them.

Be factual in your letters, don’t make wild or obviously false claims or statements. Besides, the cause of the DAV -- caring for the service-connected disabled veteran -- can stand on its own without misrepresentation.

Write letters in your own words. Don’t feel that you have to make the content of your letter conform, word for word, with the legislative bulletin you may have received or the speech you may have heard. Remember, we want to stay away from the “form letter” syndrome. If letters are too similar or identical in content, they may cause your legislator or aide to doubt their validity and/or sincerity. So, state your views in your own terms. Just use the correct bill number and important essentials, and your legislator will get the message.

The grassroots letter effort should not be a “flash in the pan,” rather it should be steady and continuing. This means that your legislator should not receive 50 communications in one week and then nothing for the remainder of the month. Twelve letters a week for four continuous weeks would make a much more lasting impression on your legislator’s mind.

Chapter members should therefore be encouraged to write follow-up letters in addition to their original correspondence, have their spouses and other family members write letters, “schedule” letters to be mailed on different days, etc. Use any *legitimate* means to ensure a continual flow of letters, thus keeping the issue active in the minds of your legislators.

**Phone calls and telegrams.** As a supplement to the personal visit and letter, send a telegram or place a phone call to your legislator.

Telegrams are possibly better utilized by DAV leaders -- Department Commanders, Chapter/Auxiliary Commanders -- as a means to “officially inform” your legislator of your position.

On the other hand, every DAV member can place a phone call, both to the local office and to the Washington office of your legislator. A one-minute long distance phone call to Washington is not that expensive, and in terms of the possible return on such an investment -- passage of a DAV bill -- it is money very well spent.

You may recall that the DAV Washington office designated a special day as “Phone the Hill Day” in prior legislative battles. This tactic was most effective.

As in the case of writing letters, chapters should be encouraged to make up a “schedule of phone calls” to cover a fairly lengthy period. By having DAV and Auxiliary members, their families and friends place calls on different days, the impression can be made that a large number of people in the state or district have a keen interest on an issue.

It is important to note that these suggestions do *not* involve the use of deception or any tactics that are not open and above-board. They are legitimate, effective means of communications which should be employed by DAV and Auxiliary members in support of our organization’s legislative goals.

### **“NON-PARTISAN” POLITICAL ACTIVITY**

While the Disabled American Veterans certainly engages in political activity in promotion of our legislative programs and goals, *it does not and must not engage in partisan politics.*

That is to say, our organization is directly and indirectly involved in our nation’s legislative process and its various operative mechanisms. We have varied and voluminous communications, contacts, and dealings with elected government officials, all of which are regularly reported to our national membership. This is political activity, and it is perfectly legal and justifiable that we engage in such activity.

However, in pursuit of our legislative objectives, the DAV *never* publicly takes a position wherein we officially endorse or oppose one candidate for public office over another. nor do we *ever* give any indication of preference for one political party over another. This would be *partisan* political activity which is forbidden by federal law governing our tax-exempt status and in our own Constitution and Bylaws. Also, because of the differing party affiliations and political views of our members, partisanship within our organization would be divisive.

**Violation of our Congressional Charter and Constitution and Bylaws.** Public Law 72-186, approved June 17, 1932, is the federal law which incorporated and granted the Congressional charter to the “Disabled American Veterans of the World War.” Public Law 77-668, approved July 15, 1942, amended the original Act, changing our organization’s name to the “Disabled American Veterans.”

In Section 6 of both of these statutes appear the following words:

“That the organization shall be non-political, non-sectarian, as an organization shall not promote the candidacy or any persons seeking public office.”

In this same vein, Article 2, Section 2.1 of the DAV Bylaws states, in part:

“This organization shall be non-political and non-sectarian and the name of this organization or name of any subdivision thereof shall not be used in representing the desires or wishes of its membership in any political, sectarian or labor dispute. . . .”

**Violation of Internal Revenue Service Laws and Regulations.** Under the laws and regulations governing the Internal Revenue Service (Title 26, U.S.C.), the federal tax-exempt status of certain charitable, nonprofit organizations (including the DAV) shall be withheld or removed if they:

“ . . . participate or intervene, directly or indirectly in any political campaign on behalf or in opposition to any candidate for public office. . . . Activities which constitute participation or intervention in a political campaign in behalf of or in opposition to a candidate include, but are not limited to, the making of oral or written statements on behalf of or in opposition to such a candidate. . . .”

In view of the above, all DAV members must be acutely aware that not only is partisan political activity statutorily forbidden, but if engaged in, it could mean the *revocation* of our Congressional Charter and/or the *removal* of our federal tax-exempt status.

Therefore, the National organization, a state Department or a DAV chapter cannot endorse or oppose the candidacy of any individual for public office. Nor can any of the above, or an individual claiming to represent the views of the above, engage in activity which could be *construed* as partisan political activity.

The most common type of “violation” which could occur (in fact, has occurred) at the local level would be a DAV Department or chapter passing a resolution, mailing out a bulletin, or making some form of public statement indicating that its membership supports or opposes the candidacy of a particular individual. At times, individual DAV Department and chapter officials (and members) have taken it upon themselves to engage in partisan politics, using the name of the Disabled American Veterans.

If and when partisan political violations occur, they should immediately be brought to the attention of Department and chapter officials who should take appropriate action -- directing that such activity cease, and depending upon existing circumstances, issuing a public disclaimer which “disassociates” the organization from the action taken. (Use your best judgment as to whether a public disclaimer would just bring more “attention” to the violation.)

It should be pointed out that it is possible for the DAV to “walk the fine line” which separates political activity from political *partisan* activity.

If a Department or chapter wishes to publicly acknowledge the “beneficial work” of a legislator or the “non-support” of a legislator relative to DAV goals, then by all means such action is encouraged. *But* care must be given not to editorialize, not to accompany your words of

praise or dismay with language that very definitely suggests that the legislator be retained or removed from public office.

Examples of political activity which are non-partisan include:

1. Honoring a legislator with a Department or national award or citation;
2. During an election year, inviting *both* candidates for a public office to address an “open” DAV meeting;
3. Individual communications to legislators (letters, telegrams, phone calls, etc.) which simply inform them that a course of action taken is or is not appreciated (your DAV membership can be stated).

Finally, it should be noted that none of these prohibitions regarding partisan politics should be construed to mean that DAV members, in accordance with their rights as private citizens, should not engage in partisan political activity. The sole concern should be that the National organization and its affiliates are not “compromised” by a member’s partisan political activity. As long as this does not occur, then by all means, active involvement in our country’s democratic process by individual DAV members should be encouraged.

**Self-Divisive.** Even if the DAV was not precluded from engaging in partisan politics by our Congressional charter, Bylaws and federal statutes, as stated above, there is another very good reason why such activity should be foreign to us -- it would be extremely self-divisive to us internally.

The personal political persuasion of individual DAV and Auxiliary members, most assuredly, covers the broad spectrum of political party membership and philosophy. On any occasion, when DAV members gather from across the country, you will find Democrats, Republicans, and Independents, Conservatives, Liberals, and “middle of the roaders.” Despite these differences, all will be working together, socializing together, planning the future path of our organization together -- without so much as a fleeting thought concerning the party affiliation of their fellow DAV members.

Just think of that for a second: thousands of DAV members living together for seven days at a National Convention, all definitely engaged in political activity relating to our organization, its programs and goals, and yet, *not* engaged in partisan politics!

How many times has the personal political preference of candidates for DAV elected national offices been an issue at a National Convention, or what DAV member has ever objected to having “Congressman Doe” speak at a National or Department Convention for reasons related to the legislator’s party affiliation?

Neither has ever occurred for we in the DAV do not care whether our National Commander is a Democrat or Republican, and we do not care what political party holds the allegiance of Congressman Doe. All we care about is that our National Commander is the best

person to lead our organization for a 12-month period and that Congressman Doe is, or has the potential to be, an advocate for veterans in the U.S. Congress.

Being politically “color blind” gives us *cohesiveness, unity, and singleness of purpose*. This solidarity is one of the *great strengths* of our organization, which enables us to successfully achieve our goals. The Disabled American Veterans does not want or need the divisiveness that would accompany the injection of partisan political activity in our affairs.

It is hoped that this information has provided a good, broad overview of the DAV and its involvement with the legislative process. It is also hoped that this information has made the point concerning DAV rank and file membership participation in our organization’s legislative efforts. Such participation is vital and necessary if the DAV is to continue to effectively represent the interests of America’s service-connected disabled veterans, their dependents and survivors.