

Proposal to Advocate for the Recognition of Stepfamily Relationships in American Legion Auxiliary Membership Eligibility

Prepared for consideration within The American Legion Family

Prepared by Jennifer McGregor, American Legion Auxiliary Unit 15, Dade City, Florida

Purpose

This proposal requests that The American Legion Family examine the current exclusion of step-relatives from American Legion Auxiliary membership eligibility and determine what legislative, regulatory, or organizational changes would be necessary to recognize qualifying stepfamily relationships for Auxiliary membership purposes.

The intent of this proposal is not to ask the American Legion Auxiliary to disregard its current eligibility requirements or federal requirements governing its tax-exempt status.

Rather, it asks a more fundamental question:

If existing federal law or regulation prevents the American Legion Auxiliary from recognizing qualifying stepfamily relationships as part of a veteran's family, should The American Legion Family advocate for that law or regulation to be changed?

Background

This issue arose while reviewing American Legion Auxiliary membership eligibility requirements.

Current Auxiliary eligibility recognizes certain relatives of eligible veterans, including grandparents, parents, siblings, spouses, and direct or adopted descendants within the applicable degree of relationship. Step-relatives are not currently recognized as qualifying relatives solely through the step relationship.

American Legion Auxiliary guidance explains that step-relatives are excluded because federal requirements associated with the Auxiliary's status under Internal Revenue Code Section 501(c)(19) limit qualifying family relationships to spouses and persons related within two degrees of consanguinity. IRS Form 1024 instructions describe this as two degrees of blood relationship.

The existence of that federal restriction explains why an individual Unit, Department, or even the American Legion Auxiliary itself may not simply add step-relatives to its membership eligibility requirements.

It does not necessarily answer whether the underlying restriction should remain unchanged.

The American Legion has a long history of legislative advocacy on behalf of veterans and their families. If federal law or regulation is the obstacle preventing recognition of qualifying stepfamily relationships, this issue deserves consideration through the appropriate American Legion legislative channels.

Stepfamilies Are Veteran Families

A stepchild can be, in every meaningful sense, the child of a veteran. A stepparent can likewise be the parent who raised, supported, and stood beside a future servicemember or veteran.

Veterans and servicemembers raise stepchildren, and many veterans themselves are raised by stepparents. Stepfamilies provide care, attend school events, celebrate accomplishments, endure deployments and difficult times, and form lifelong parent-child and sibling relationships.

Legal adoption is not always possible or appropriate.

Another biological parent may retain parental rights. Custody arrangements may prevent adoption. Adult stepfamily relationships may have existed for decades without any legal mechanism or practical reason for adoption. Legal, financial, personal, or family circumstances may make adoption impossible or inappropriate.

None of those circumstances necessarily diminish the relationship between a veteran and the stepfamily members who raised them, were raised by them, or shared family life with them.

Requiring a blood relationship or adoption decree before recognizing those relationships can create a distinction based upon legal status rather than necessarily reflecting the reality of the veteran's family.

Other Military and Legion Programs Recognize Stepchildren

The concept of recognizing stepfamily relationships as part of a servicemember or veteran's family is not new.

The Department of Defense recognizes qualifying stepchildren as military dependents through DEERS and TRICARE.

The American Legion itself recognizes stepchildren in certain programs.

For example, The American Legion Temporary Financial Assistance program includes qualifying stepchildren among eligible children.

The American Legion Legacy Scholarship eligibility requirements also recognize stepchildren.

Perhaps most significantly, Sons of The American Legion membership eligibility currently recognizes stepsons.

Therefore, the step-parent/stepchild relationship is already recognized within portions of The American Legion Family and the broader military-benefits system.

This creates an important inconsistency worth examining.

If a stepchild can be recognized as the child of a veteran for military dependent purposes, American Legion assistance programs, scholarship programs, and membership within Sons of The American Legion, the broader exclusion of stepfamily relationships from American Legion Auxiliary eligibility deserves examination.

An Issue of Family

The American Legion Family increasingly emphasizes service not only to veterans but also to their families.

Modern veteran families take many forms.

Biological relationships and legal adoption are not the only circumstances under which someone becomes family.

A veteran may marry someone with young children and spend decades raising those children without ever legally adopting them. A future servicemember may likewise be raised by a stepparent who becomes Mom or Dad in every meaningful sense. Stepchildren, stepparents, stepsiblings, and later generations of those families may remain connected for life even though the relationship is not one of blood or legal adoption.

Yet under current Auxiliary eligibility requirements, a step relationship alone cannot establish eligibility.

That deserves examination.

This proposal is not simply about increasing membership numbers.

It is about determining whether the way we define eligibility accurately reflects the veteran families we claim to serve.

Why This Question Is Particularly Timely

At the 2026 American Legion Auxiliary National Convention, delegates approved significant changes to membership eligibility language.

The adopted changes replaced certain gender-specific family relationships with gender-neutral terminology and recognize "grandparents, parents, siblings, spouses, and direct or adopted descendants" within the applicable degree of relationship.

The adoption of those changes demonstrates that membership eligibility is not an immutable concept.

Departments identified concerns with existing eligibility language, proposed changes, and brought those concerns forward through the organization.

American Legion Auxiliary National Headquarters worked with The American Legion National Judge Advocate in developing the revised eligibility language.

That process demonstrates that The American Legion and American Legion Auxiliary can collaboratively examine membership eligibility when existing rules may no longer adequately reflect the Legion Family.

However, the adopted language continues to specify "direct or adopted descendants" and otherwise relies on qualifying blood relationships and spouses. Step-relatives remain excluded solely through the step relationship.

At a time when our organization has just modernized longstanding membership requirements to better reflect The American Legion Family of today, the exclusion of qualifying stepfamily relationships deserves the same thoughtful examination.

The Question Before Us

The immediate question is not: "Can an Auxiliary Unit begin admitting step-relatives?"

Under current eligibility requirements, it cannot.

The question is: Should The American Legion Family investigate what would be necessary for federal law and Auxiliary eligibility rules to recognize qualifying stepfamily relationships?

If an organizational governing document also creates an obstacle, we should determine what organizational process is necessary.

If the obstacle is an IRS regulation or interpretation implementing Section 501(c)(19), we should determine whether a regulatory change is possible.

If the obstacle is federal statute, we should determine whether legislative action would be appropriate.

The first step is identifying precisely what creates the restriction and what authority has the ability to change it.

Proposed Resolution

Resolution to Support Recognition of Qualifying Stepfamily Relationships for American Legion Auxiliary Membership Eligibility

Whereas, The American Legion Family is founded upon service to veterans, servicemembers, their families, and our communities; and

Whereas, modern military and veteran families include biological relatives, adopted relatives, spouses, and stepfamily relationships, and stepchildren and stepparents may share lifelong parent-child relationships even when legal adoption is not possible or appropriate; and

Whereas, legal adoption may be prevented or made inappropriate by circumstances including the continuing parental rights of another biological parent, custody arrangements, adulthood, legal considerations, financial considerations, or other circumstances unrelated to the strength or permanence of the stepfamily relationship; and

Whereas, current American Legion Auxiliary membership eligibility recognizes grandparents, parents, siblings, spouses, and direct or adopted descendants within the applicable degree of relationship but does not recognize step-relatives solely through the step relationship; and

Whereas, Internal Revenue Service guidance for auxiliaries exempt under Internal Revenue Code Section 501(c)(19) requires qualifying family members to be spouses or related within two degrees of consanguinity, and IRS Form 1024 instructions describe the latter standard as two degrees of blood relationship; and

Whereas, Sons of The American Legion membership eligibility recognizes stepsons, thereby recognizing a step-parent/stepchild relationship within a component of The American Legion Family; and

Whereas, programs administered by The American Legion recognize stepchildren as children of veterans for certain purposes, including Temporary Financial Assistance and certain scholarship eligibility; and

Whereas, the Department of Defense recognizes qualifying stepchildren as dependents of servicemembers under applicable DEERS and TRICARE eligibility requirements; and

Whereas, American Legion Auxiliary membership eligibility changes adopted at the 2026 National Convention demonstrate an ongoing effort by The American Legion and American Legion Auxiliary to examine and modernize membership eligibility; and

Whereas, the adopted 2026 eligibility language recognizes "grandparents, parents, siblings, spouses, and direct or adopted descendants" but does not resolve the exclusion of step-relatives; and

Whereas, American Legion Auxiliary National Headquarters and The American Legion National Judge Advocate have demonstrated that the organizations can work collaboratively to examine membership eligibility requirements and determine what changes may be legally and organizationally possible; and

Whereas, an organization committed to strengthening and supporting veteran families should examine whether otherwise comparable stepfamily relationships should be excluded from American Legion Auxiliary membership eligibility solely because they are not relationships of blood, marriage to the veteran, or legal adoption;

NOW, THEREFORE, BE IT RESOLVED,

That American Legion Auxiliary Unit _____ respectfully requests that its affiliated American Legion Post _____ support examination and recognition of qualifying stepfamily relationships for purposes of American Legion Auxiliary membership eligibility; and

BE IT FURTHER RESOLVED,

That The American Legion, through the appropriate Department and National channels, be requested to review the statutory, regulatory, tax-exempt-status, and organizational requirements currently preventing step-relatives from qualifying for membership in the American Legion Auxiliary solely through a stepfamily relationship; and

BE IT FURTHER RESOLVED,

That The American Legion, in consultation with the American Legion Auxiliary and appropriate legal and tax counsel, determine what amendments to federal law, federal regulation, governing documents, or other requirements would be necessary to permit qualifying stepfamily relationships to establish American Legion Auxiliary membership eligibility without jeopardizing the Auxiliary's tax-exempt status; and

BE IT FURTHER RESOLVED,

That if federal statutory or regulatory change is necessary, The American Legion be encouraged to consider appropriate legislative advocacy to recognize qualifying stepfamily relationships within an equivalent degree-of-relationship framework for American Legion Auxiliary membership; and

BE IT FINALLY RESOLVED,

That this resolution be forwarded through the appropriate American Legion Family channels for consideration, with the goal that otherwise qualifying stepchildren, stepparents, and other step-relatives within an equivalent degree-of-relationship framework may be recognized for American Legion Auxiliary membership as part of the veteran's family.

Suggested Statement When Presenting the Proposal

While reviewing our Unit's bylaws, standing rules, and membership requirements, I noticed that step-relatives are missing from Auxiliary eligibility.

The more I thought about it, the more it bothered me.

We first noticed the issue through stepchildren. There are many reasons a veteran may raise a stepchild without legally adopting that child. Another biological parent may retain parental rights, making adoption impossible or inappropriate. But the absence of an adoption document does not mean that veteran did not raise that child, love that child, provide for that child, or consider that person their son or daughter.

The same question can run the other direction. A servicemember or veteran may have been raised by a stepparent who filled the role of Mom or Dad for decades. Step-relatives can be family in every meaningful sense even when there is no blood relationship or adoption decree.

At the 2026 National Convention, the American Legion Auxiliary adopted significant changes to membership eligibility language so that it better reflects The American Legion Family we serve today. I support those changes. But I believe that examination should now include qualifying stepfamily relationships.

Sons of The American Legion already recognizes stepsons. The American Legion recognizes stepchildren through some of its own programs. Yet the Auxiliary's federal tax rules currently prevent that same step relationship, by itself, from establishing membership eligibility.

I understand that our Unit cannot simply change this rule. IRS requirements for a 501(c)(19) auxiliary use spouses and relationships within two degrees of consanguinity, described by the IRS as blood relationship.

That is why I am not asking our Unit to change it.

I am asking our Unit to say that we believe this is worth examining, to ask our Legionnaires to stand with us, and to send that request forward through the proper channels.

If federal law or regulation is what prevents us from recognizing qualifying stepfamily relationships as part of the veteran family, then I believe we should at least ask whether that law or regulation can be changed.

A veteran family should not be reduced only to bloodlines and adoption documents without first asking whether federal law can recognize the stepfamily relationships that military families live every day.

Supporting References

American Legion Auxiliary - Membership Eligibility

<https://www.legion-aux.org/eligibility>

American Legion Auxiliary - Eligibility Questions

<https://www.legion-aux.org/eligibilityquestion>

Internal Revenue Service - Form 1024 Instructions, Schedule K

<https://www.irs.gov/instructions/i1024>

Internal Revenue Service - Veterans' Organizations

<https://www.irs.gov/charities-non-profits/other-non-profits/veterans-organizations>

Sons of The American Legion - Eligibility

<https://www.legion.org/about/american-legion-family/sons-of-the-american-legion/join-sons-of-the-american-legion>

The American Legion - Temporary Financial Assistance

<https://www.legion.org/get-involved/community-programs/temporary-financial-assistance/request-assistance>

The American Legion - Legacy Scholarship

<https://www.legion.org/get-involved/scholarships/the-american-legion-legacy-scholarship>

TRICARE - Eligibility for Children

<https://www.tricare.mil/Plans/Eligibility/Children>

2026 American Legion Auxiliary Eligibility Announcement

<https://www.legion-aux.org/Blog/New-eligibility-resolution-expands-ALA-membership>