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TO: Department and Chapter Commanders and Adjutants
FROM: J. Marc Burgess, National Adjutant
SUBJECT: Department and Chapter Functions and COVID-19
DATE: March 16, 2020

Attached is the Centers for Disease Control and Prevention's (CDC) Guidance Memo regarding mass gatherings and large community events along with best practices to prevent the spread of Coronavirus Disease 2019 (COVID-19). In our response we want to do our best to protect our members, fellow veterans, loved ones and our community during this challenging period, which seems to change by the minute. The Guidance Memo recommends organizations cancel events with gatherings of more than ten (10) people in "higher-risk" populations. However, as of 3:30 p.m. ET today, President Trump and the Coronavirus Task Force recommends canceling gatherings of ten (10) or more people regardless of the risk and susceptibility.

National Commander Whitehead and I are both very aware that many of you have questions and concerns regarding your upcoming department convention and/or chapter meetings and elections. As is the case in any event or activity, should there ever be a question concerning the safety of our members, we will always support the decision of a local entity to cancel or postpone DAV events to include conventions and meetings of any sort.

As it relates to department conventions or other meetings, the Department Executive Committees (DEC) should make the final decision as to whether a convention or other meeting is canceled or postponed. Of course, several factors should be evaluated by the DEC prior to voting to take such action. Only local leaders of departments truly understand the local situation and demographics of their membership. That being said, if it is reasonably believed that now, or at any other point in the near future, that a department convention should be canceled or postponed, those discussions with the DEC should begin to take place. Departments facing large cancellation penalties might wish to consult a lawyer experienced in the local courts. This is because there are many factors that may reduce or even eliminate those penalties. Those factors include: (1) the specific terms of the agreement; (2) the actions of local government in the area of the venue; and (3) state law regarding the effect of "impossibility" or "impracticability" of performance.

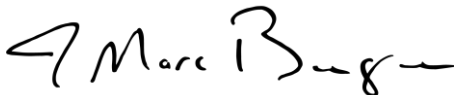
In the event that a department convention is canceled or postponed, barring any specific language in your bylaws that addresses cancellation or postponement of the department convention, the current elected and appointed leaders of the department should remain intact until the next convention occurs – whether it is postponed until later this summer or canceled completely at which point it would occur next year. Should any elected or appointed officer not wish to fulfill another term, they may resign their position and the department should fill such vacancy as specifically provided in their department bylaws.

For chapters that wish to cancel monthly meetings, that decision should be made by the leaders of the chapter and attempts should be made to notify members of such cancellation using social media and other local resources. As many chapters are scheduled to elect and appoint officers during the next few months, any chapter which does not meet during the specific month noted for nominations and election of chapter officers, should send notice to all of its members announcing the date, time and location of a special election of officers for the coming year, once normal operations resume.

While we are entering uncharted territory and addressing issues which were never conceivable in the past, we will all emerge a little wiser and stronger at all levels of our organization. This will be a result of your patience, understanding, and our ability to work together toward a common goal of fulfilling our promises to the men and women who served.

Please keep us posted of any changes to your department convention and should you have any questions or concerns, please do not hesitate to reach out to Inspector General Edward E. Hartman at our National Headquarters.

Sincerely,

A handwritten signature in black ink that reads "J. Marc Burgess". The signature is written in a cursive style with a long horizontal line extending to the right.

J. Marc Burgess
National Adjutant

JMB:kb
Attachment