

**NATIONAL EXECUTIVE COMMITTEE
OF
THE AMERICAN LEGION
October 12-13, 2022
Indianapolis, Indiana**

Resolution No. 24: GI Bill Fairness for Activated National Guard and Reserve Servicemembers

Origin: Veterans Employment & Education Commission

Submitted by: Veterans Employment & Education Commission

WHEREAS, Reserve and National Guard servicemembers may only attain eligibility for the Post-9/11 GI Bill through authorized, active-duty service; and

WHEREAS, The Harry W. Colmery Veterans Educational Assistance Act of 2017 recognized and retro-actively authorized GI Bill eligibility to National Guard and reserve servicemembers who deploy alongside active-duty servicemembers under 10 USC §12304b orders; and

WHEREAS, In 2017, Army Human Resources Command ordered a change in Interpretation of Service Qualifying for Post-9/11 GI Bill to count active-duty training orders pursuant to 10 USC §12301(d) as eligible service, providing thousands of Army Reservists GI Bill eligibility for dates activated to military training including primary military education; and

WHEREAS, Thousands of National Guard servicemembers have been activated to duties alongside said reservists, such as joint training operations and primary military education; and

WHEREAS, National Guard and reserve servicemembers activated under state authorities at the onset of the COVID-19 pandemic were denied eligibility for the Post-9/11 GI Bill due to orders pursuant to 32 USC §502(f), which is not currently recognized as active-duty service qualifying for Title 38 benefits; now, therefore, be it

RESOLVED, By the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, on October 12-13, 2022, That The American Legion seek and support any legislative or administrative proposal providing Post 9/11 GI Bill eligibility for National Guard and reserve service; and, be it finally

RESOLVED, That the 2018 National Convention Resolution No. 104, titled “GI Bill Fairness for Activated National Guard Servicemembers,” is hereby superseded and rescinded.