

**NATIONAL EXECUTIVE COMMITTEE
OF
THE AMERICAN LEGION
1991 Mail Vote**

**Resolution No. 1: Recommendation to National Convention to Extend Eligibility for
Membership in The American Legion to August 2, 1990 to the Date of Cessation of
Hostilities as Determined by the United States Government**

Origin: National Executive Committee

Submitted by: National Executive Committee

WHEREAS, The eligibility dates for membership in The American Legion are determined by the Congress of the United States of American by the establishment of specific dates during which the declared or undeclared, or other armed hostilities; and

WHEREAS, Iraq invaded Kuwait on August 2, 1990, which resulted in the United States build up at the request of and to protect Saudi Arabia and insists that Iraq withdraw from Kuwait, which build up inexorably lead to the current military operation titled "Operation Desert Storm"

WHEREAS, On January 17, 1991, at the direction of the President, and with the full knowledge and consent of the United States Congress, United States military forces were directed to and did engage in military action to free the peaceful nation of Kuwait from the aggression and military hegemony of the nation of Iraq; and

WHEREAS, The military forces of the United States are, and have been engaged in continuous armed conflict with Iraq to free Kuwait and in defense of other nations in the Middle East, which conflict has cost the lives of American service men and women; and

WHEREAS, The American Legion has gone on record as being supportive of the military action taken by the United States of America and its allies in this conflict; and

WHEREAS, The American Legion has created and established the Family Support Network to aid, assist and comfort the families of those men and women who were called to serve in Operation Desert Storm; and

WHEREAS, The American Legion commends the heroic actions of all military personnel who are risking their lives in the defense of freedom during the current hostilities; and

WHEREAS, In accordance with the history, tradition, and purposes of The American Legion, it is proper that the privilege of membership in The American Legion should be extended to military personnel serving on active duty during the current period of hostilities and through such time as hostilities shall cease; and

WHEREAS, The National Executive Committee acted upon this belief, by mail vote, the results of which were reported at the National Executive Committee at its meeting in Indianapolis, Indiana, on May 1-2, 1991, by recommending to the National Convention that the time has come to extend its eligibility for membership in The American Legion to the periods from August 2, 1990, to and including the date which the United States shall determine to be the end of hostilities; now, therefore, be it

RESOLVED, By the National Executive Committee of The American Legion, by mail vote pursuant to Rule 12 of the Rules of the National Executive Committee, That the National Legislative Commission be and it is hereby authorized and directed to petition the Congress of the United States to further amend Section 5 of the Act entitled "An Act to

Incorporate The American Legion,” Public Law No. 47, 66th Congress, approved September 16, 1919, (c. 59, Sec. 5, 41 stat.285; October 29, 1942, c. 633, Sec. 2.56 Stat. 1012; July 9, 1946, c. 546, 50 Stat. 524; December 28, 1950 c. 1177, 64 Stat. 1122; July 26, 1955, c. 386, Sec. 2, 69 Stat. 380; September 1, 1966; Public Law 89 550, Sec. 2, 80 Stat. 372; December 27, 1974, Public Law 93-557, 88 Stat. 1972; August 17, 1978, Public Law 95-346, 92 Stat. 485; December 21, 1979, Public Law 96-155, 93 Stat. 1165; October 30, 1990, Public Law 101-478, 104 Stat. 1157; Title 36 U.S.C. Sec.45, as amended) to read when amended as follows:

“Section 5, No person shall be a member of this corporation unless he has served in the naval or military services of the United States at some time during any of the following periods: April 6, 1917, to November 11, 1918; December 7, 1941, to December 31, 1946; June 25, 1950, to January 31, 1955; December 22, 1961, to May 7, 1975; August 24, 1982, to July 31, 1984; December 20, 1989, to January 31, 1990; August 2, 1990, to the date of cessation of hostilities as determined by the Government of the United States, all dates inclusive, or who being a citizen of the United States at the time of entry therein, served in the military or naval service of any governments associated with the United States during said wars or hostilities; provided, however, that such person shall have an honorable discharge or separation from such service or continues to serve honorably after any of the aforesaid terminal dates.”; and, be it finally

RESOLVED, That when and if the Congress of the United States enacts the above amendment, and the President of the United States shall have approved the same and it becomes law, then the National Constitution of The American Legion shall be deemed amended in conformance therewith, but subject to all consistent limitations and restrictions in the Constitution contained, all as provided for under Article XVII thereof, so that Article IV, Section 1, and Article XIII, Section 2 of the aforesaid National Constitution of The American Legion, Shall read as follows:

“Article IV Eligibility”

“Section 1. Any person shall be eligible for membership in The American Legion who was a member of the Army, Navy, Marine Corps, Coast Guard or Air Force of the United States and assigned to active duty at some time during any of the following periods: April 6, 1917, to November 11, 1918; December 7, 1941, to December 31, 1946; June 25, 1950, to January 31, 1955; December 22, 1961, to May 7, 1975; August 24, 1982, to July 31, 1984; December 20, 1989, to January 31, 1990; August 2, 1990, to the date of cessation of hostilities as determined by the Government of the United States, all dates inclusive, or who, being a citizen of the United States at the time of his entry therein, served on active duty in the armed forces of any of the governments associated with the United States during any of said periods; provided, however that such service shall have been terminated by honorable discharge or honorable separation, or continued honorably after any of said periods; provided, further, that no person shall be entitled to any membership who, being in such service during any of said periods, refused on conscientious, political or other grounds to subject himself to military discipline to unqualified services.”

“Article XIII Auxiliaries”

“Section 2. Membership in the American Legion Auxiliary shall be limited to the mothers, wives, daughters, sisters, granddaughters and great-granddaughters of members

of The American Legion, and to the mothers, wives, daughters, sisters, granddaughters and great-granddaughters of all men and women who were in the Armed Forces of the United States during any of the following periods: April 6, 1917, to November 11, 1918; December 7, 1941, to December 31, 1946; June 25, 1950, to January 31, 1955; December 22, 1961, to May 7, 1975; August 24, 1982, to July 31, 1984; December 20, 1989, to January 31, 1990; August 2, 1990, to the date of cessation of hostilities as determined by the Government of the United States, all dates inclusive, or who, being a citizen of the United States at the time of his entry therein, served on active duty in the armed forces of any of the governments associated with the United States during any of said periods, and died in line of duty or after honorable discharge; and to those women who of their own right are eligible for membership in The American Legion.”