

**NATIONAL EXECUTIVE COMMITTEE
OF
THE AMERICAN LEGION
Indianapolis, Indiana
October 8-9, 1986**

Resolution No. 24: Amendment of the American Legion Retirement Plan for Employees of the National Headquarters and Subordinate Groups Thereof and the Trust Indenture Thereunder

Origin: Finance Commission

Submitted by: Finance Commission

WHEREAS, The Congress of the United States has just recently passed a law which is referred to as The Tax Reform Act of 1986 or sometimes the Internal Revenue Code of 1986 (hereinafter referred to as The Act); and

WHEREAS, The Act affects all qualified Employee Benefit Plans and makes amendments to various provisions of the Employee Retirement Income Security Act of 1984 (hereinafter referred to as ERISA); and

WHEREAS, Pursuant to the enactment of The Act certain provisions must be changed by each retirement and benefit plan, possibly applicable to the benefit year starting on or after January 1, 1987; and

WHEREAS, The American Legion Retirement Plan for Employees of the National Headquarters and Subordinate Groups Thereof may require extensive revision and restatement in order to be in full compliance with The Act and ERISA as amended; and

WHEREAS, The Retirement Committee has been advised that certain technical amendments to definitions are advisable to comply with Internal Revenue Service regulations; and

WHEREAS, The National Finance Commission has approved changes to The American Legion Retirement Plan to amend the language to allow employees over age 65 (age 62 after 30 years of service) to work for a covered group without loss of benefits to provide for retirement at age 62 or later without reduction of benefits upon completion of thirty (30) years of service; and

WHEREAS, The American Legion Retirement Plan for Employees of the National Headquarters and Subordinate Groups Thereof was approved and adopted by the National Executive Committee in November, 1944, and amended in June, 1946, May, 1954, October 1954, October 1975, May, 1983, May 1984 and May 1985; and

WHEREAS, It is advisable to bring The American Legion Retirement Plan for Employees of the National Headquarters and Subordinate Groups Thereof into compliance as soon as possible; now, therefore, be it

RESOLVED, By the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, on October 8-9, 1986, That the National Judge Advocate be and he is hereby authorized to draft any and all amendment to The American Legion Retirement Plan for Employee of the National Headquarters and Subordinate Groups Thereof necessary to comply with The Act and make technical and other amendments and thereafter submit the Plan as amended to the appropriate government agency or agencies for approval of the Plan as amended; and, be it further

RESOLVED, That the National Judge Advocate be and he is hereby further authorized to draft any and all amendments necessary to the Trust Indenture presently extant by and between The American Legion and the Indiana National Bank of Indianapolis, Indiana, the repository of the Legion's retirement fund, which Trust Indenture was approved by the National Executive Committee in November, 1944, and amended June, 1946, May 1954, October 1975, May, 1983, May, 1984 and May, 1985; and, be it finally

RESOLVED, That the National Commander be and he is hereby authorized to execute any and all documents presented to him by the National Judge Advocate in connection with the revision of The American Legion Retirement Plan for Employees of the National Headquarters and Subordinate Groups Thereof or the revision of the Trust Indenture referred to in the Resolved clause next preceding and the National Adjutant be and he is hereby authorized to attest the same.