

**NINETY-EIGHTH NATIONAL CONVENTION
OF
THE AMERICAN LEGION
Cincinnati, Ohio
August 30, 31, September 1, 2016**

**Resolution No. 128: Protection of Religious Rights and Ceremonies at National Cemetery
Administration National and State Cemeteries**

Origin: Maryland

Submitted by: Convention Committee on Veterans Affairs & Rehabilitation

WHEREAS, Some National Cemetery Administration national and state cemeteries do not allow graveside services that include a reference to God; and

WHEREAS, This policy is pursuant to a memorandum of the Undersecretary of Veterans Affairs for Memorial Affairs dated November 1, 2007; and

WHEREAS, This policy involves prior restraint of speech and religion in violation of the First Amendment to the United States Constitution; and

WHEREAS, The American Legion and other veteran service organizations have challenged this policy in the United States District Court; now, therefore, be it

RESOLVED, By The American Legion in National Convention assembled in Cincinnati, Ohio, August 30, 31, September 1, 2016, That the National Cemetery Administration amend the November 1, 2007 memorandum of the Undersecretary of Veterans Affairs for Ceremonial Affairs on Honor Guard Funeral Flags to uphold and guarantee the freedom of all religious rights and ceremonies for veterans and their families at national and state cemeteries; and, be it further

RESOLVED, That The American Legion petition Congress to support legislation guaranteeing the right that all religious rights and ceremonies be permitted at all national and state cemeteries; and, be it finally

RESOLVED, That The American Legion support litigation against policies that violate the use of speech and religion in accordance with the First Amendment to the United States Constitution.