

**NATIONAL EXECUTIVE COMMITTEE
OF
THE AMERICAN LEGION
INDIANAPOLIS, INDIANA
October 12-13, 2011**

Resolution No. 45: Adherence to American Legion Baseball Rules

Origin: Americanism Commission

Submitted by: Americanism Commission

WHEREAS, The American Legion Baseball program was authorized by action of the 1925 National Convention in Omaha, Nebraska; and

WHEREAS, The American Legion has played the game of baseball using "Official Baseball Rules" as authorized by the Commissioner of Major League Baseball, and the National Americanism Commission has modified some recruiting and playing official rules to insure the safety and welfare of participants and spectators, while still observing integrity of the game; and

WHEREAS, It has been the policy of the National Americanism Commission to allow departments to adopt and modify certain recruiting rules that benefit department play; and

WHEREAS, It has been the long standing policy of the National Americanism Commission that departments may not adopt baseball playing rules or recruiting rules that are in conflict with rules adopted by the National Americanism Commission; and

WHEREAS, There has been a noticeable trend in recent years in which some departments are adopting National Federation of High School Sports baseball playing rules that are in conflict with the baseball playing rules adopted and approved by the National Americanism Commission; and

WHEREAS, Disregard by departments in enforcing baseball recruiting or playing rules as adopted by the National Americanism Commission or adopting recruiting or playing rules that are in conflict with those of the National Americanism Commission exposes participants and spectators to increased safety risks and exposes the National Organization, departments and posts to increased liability risk and raises problems with the risk to the trademark or service mark; and

WHEREAS, The name and emblem of American Legion Baseball is a federal service mark owned by The American Legion; and

WHEREAS, Federal trademark/service mark laws require that The American Legion protect its trademarks/service marks; 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, 2011, That should a department adopt any rule that is in conflict with existing American Legion Baseball recruiting or playing rules as authorized and approved by the National Americanism Commission, which would cause the National Organization to incur increased potential financial liability and risk to its marks, that the Chairman of the National Americanism Commission shall contact the commander of the offending department by telephone, and follow-up on that same day in writing, to resolve said conflict; and, be it finally

RESOLVED, That if a department fails to take corrective action within one week of the date of the written notification, or such other reasonable time as is communicated to said department by the Chairman of the National Americanism Commission in his original communication to the offending department, the Chairman of the National Americanism Commission is then authorized, with concurrence of the National Commander, to remove the department from The American Legion Baseball program and prohibit the use of The American Legion name and logo by such department, such notification to be issued by the National Judge Advocate in compliance with all legal requirements, until such time as the deficiency is corrected and the National Commander approves the reinstatement of said department.