

**ONE-HUNDREDTH NATIONAL CONVENTION
OF
THE AMERICAN LEGION
Minneapolis, Minnesota
August 28, 29, 30, 2018**

**Resolution No. 104: GI Bill Fairness for Activated National Guard Servicemembers
Origin: Convention Committee on Veterans Employment & Education
Submitted by: Convention Committee on Veterans Employment & Education**

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 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, but are 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 American Legion in National Convention assembled in Minneapolis, Minnesota, August 28, 29, 30, 2018, That The American Legion supports present and future amendments to U.S. Code Titles 5, 10, 37 and 38 commensurate with U.S. Code Title 10 authorized service, including but not limited to 32 USC § 502(f) in order to provide Post-9/11 GI Bill benefits for wounded and active-duty eligible National Guard and reserve servicemembers.