

**NATIONAL EXECUTIVE COMMITTEE  
OF  
THE AMERICAN LEGION  
Indianapolis, Indiana  
October 17-18, 2018**

**Resolution No. 2: Unrecognized Armed Hostilities Membership Date Change  
Origin: Internal Affairs Commission  
Submitted By: Internal Affairs Commission**

WHEREAS, Membership eligibility in The American Legion is determined by the Congress of the United States of America through the establishment of specific dates of declared hostilities in which U.S. military personnel are activated for service; and

WHEREAS, The National Executive Committee of The American Legion in regular meeting in Indianapolis, Indiana, October 17-18, 2018 adopted Resolution No. 1 titled “Unrecognized Armed Hostilities Recognition”; and

WHEREAS, In accordance with the history, tradition and purposes of The American Legion, it is fair, proper and reasonable that the privilege of membership in The American Legion should be extended to all military personnel who served on active military duty during all of these mentioned armed hostile events requiring activation of U.S. military personnel; now, therefore, be it

**RESOLVED, By the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, on October 17-18, 2018, That subsequent to the Congress of the United States declaring “December 7, 1941 through the cessation of armed hostilities at an as-of-yet undetermined future date” as the official date for the current war-time period; the Legislative Commission be and 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, 66<sup>th</sup> 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. 52; 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; December 3, 1991, Public Act 102-179; November 20, 1997, Public Act 105-110; August 12, 1998, Public Act 105-225; November 3, 1998, Public Act 105-354; December 2, 2002, Public Act 107-309; December 13, 2011, Public Act 112-66; Title 36 U.S.C. Sec. 45, as amended) to read when amended as follows:**

**“Section 21703. Membership. 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 and December 7, 1941 to the date of cessation of armed 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 during or after any of said periods; provided, further, that no person shall be entitled to membership who, being in such service during any of said periods, refused on conscientious, political or other grounds to subject himself to military discipline or unqualified services.”; 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 approves 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 and December 7, 1941 to the date of cessation of armed 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 during or after any of said periods; provided, further, that no person shall be entitled to membership who, being in such service during any of said periods, refused on conscientious, political or other grounds to subject himself to military discipline or 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 and December 7, 1941 to the date of cessation of armed 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 the line of duty or after honorable discharge; and to those women who of their own right are eligible for membership in The American Legion.”**