

THE AMERICAN LEGION, DEPARTMENT OF MICHIGAN

RESOLUTION: **6-F-12**

SUBMITTED BY: 4th District of The American Legion, Department of Michigan

SUBJECT: Eligibility for Membership in The American Legion

RESOLUTION

WHEREAS, The American Legion is an organization of war veterans who have dedicated themselves to service to their community, state, and nation; and

WHEREAS, War veterans are defined as persons, whether or not current members of the United States Armed Forces, who have served in the Armed Forces during a period of war, as generally set forth in 38 U.S.C. Section 101, concerning veterans' benefits; and

WHEREAS, The definition of a veteran is a present or former member of the United States Armed Forces. IRC 7701(a)(15) defines this as including all regular and reserve components of the uniformed services, which are subject to the jurisdiction of the Secretary of the Defense, the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force. Each term also includes the Coast Guard and the National Guard; and

WHEREAS, Some of the regulations of IRS tax code requirements for veterans' organizations refer to Veterans, namely IRM 7.25.19.4, and others refer to War Veterans, IRM 7.25.19.6, causing some concern about loss of tax advantages for the American Legion Posts; and

WHEREAS, The Preamble to the Constitution of The American Legion does not designate or differentiate between veterans and war veterans; and

WHEREAS, The United States Armed Forces would not exist as an effective military force if veterans did not serve at all times of the year, and for all years, as an efficiently trained and ever-ready force, not just during war time; and

- WHEREAS, The last enrollment period for The American Legion membership requirements has been open-ended for the last twenty-one (21) years, and continues to be open-ended at this time to all veterans; and
- WHEREAS, Recently, a very large, originally military and veterans' insurance corporation (USAA – United Services Automobile Association) within the last year has associated itself with the American Legion and opened its membership eligibility to all veterans (and their families), regardless of previous or present rank or time of service to our country, and whether at war or not, requiring only an honorable discharge; and
- WHEREAS, The time has come to finally recognize all of our present, former and future Armed Forces' veterans by allowing all veterans the opportunity to continue to serve through membership in The American Legion; and
- WHEREAS, The subject relating to membership eligibility in The American Legion has regularly been brought before the National American Legion Conventions by other States; and
- WHEREAS, Membership eligibility was studied extensively through the Godwin Study (Membership Eligibility Study Committee Report) in 1985, and all subsequent resolutions have been rejected on the basis of the 1985 standards; now, therefore, be it
- RESOLVED, By The American Legion, Department of Michigan, in annual Fall Conference, assembled in Harbor Springs, Michigan, September 21-23, 2012, that membership in The American Legion not be limited to specific war veterans, but open to all United States Armed Services personnel who have been honorably discharged from service to their country; and be it
- FURTHER RESOLVED, That this resolution be presented for approval to the National Organization to be enacted as soon as possible; and be it
- FINALLY RESOLVED, That any encumbrances, legalities, new studies or surveys, or any other delays be resolved forthwith.