

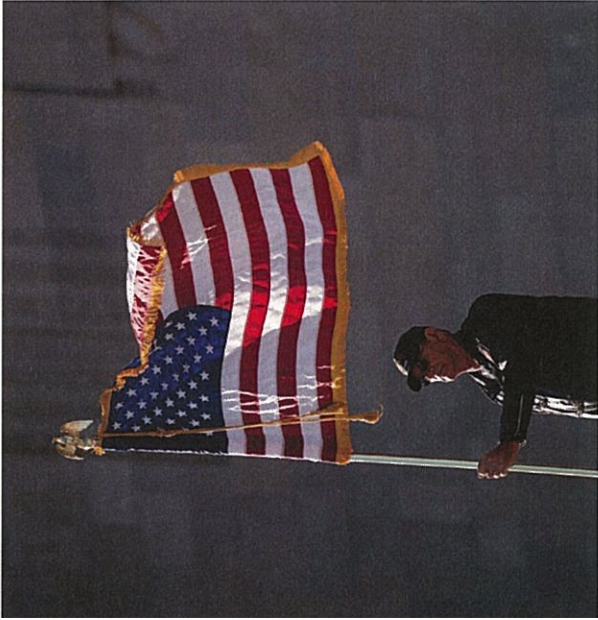
THE AMERICAN LEGION DEPARTMENT OF ARIZONA



2019 Washington Delegation



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Protect the American flag

The American Legion urges Congress to introduce and approve an amendment to the U.S. Constitution that would permit Congress and the states to pass legislation to protect the U.S. flag from physical desecration. The U.S. House of Representatives has routinely passed such an amendment. Every state has endorsed it. And a majority of Americans agree the flag should be protected.

(Resolution 303, Aug. 30 - Sept. 1, 2016)

Expand Agent Orange benefits

Efforts by the 115th Congress fell short of finally extending fairness to Blue Water Navy Vietnam War veterans exposed to the toxic defoliant Agent Orange while at sea. The American Legion remains firm in its position that all veterans exposed to Agent Orange – on land, sea or air – deserve service-connected disability benefits for adverse health conditions presumed to be linked to such exposure.

(Resolution 246, Aug. 30-Sept. 1, 2016)

The American Legion is the voice of 2 million U.S. military veterans and servicemembers. As a resolution-based organization, The American Legion's positions represent the views of its members and are based on our four pillars: Veterans Affairs & Rehabilitation, National Security, Americanism, and Children & Youth.

Brett P. Reistad
National Commander

Matthew J. Shuman
Legislative Director
202.263.2981
Mshuman@legion.org

Larry Lohmann

Senior Legislative Associate
202.263.5755
Llohmnn@legion.org

Jonathan Espinoza
Legislative Associate
202.263.5756
Jespinoza@legion.org

Lindsay N. Dearing

Legislative Associate
202.263.2990
Ldearing@legion.org

THE AMERICAN LEGION



1608 K St. NW

Washington, D.C. 20006

202.861.2700

700 N. Pennsylvania St.

Indianapolis, IN 46204

317.630.1200

www.legion.org

 www.legion.org

THE AMERICAN LEGION LEGISLATIVE AGENDA

for the 116th Congress

First Session



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THE AMERICAN LEGION LEGISLATIVE AGENDA FOR THE 116TH CONGRESS

Redefine “wartime service” period

More than 1,600 U.S. military men and women since the end of World War II have been killed or were wounded during times of armed conflict not recognized by the U.S. government. History is clear that the United States has been in a continuous state of wartime activity since the bombing of Pearl Harbor on Dec. 7, 1941. In fairness to all who have served and sacrificed, not just those who fall within a government-defined window of dates, The American Legion passed Resolution 1 at its Fall 2018 National Executive Committee meeting calling on Congress to direct VA to expand the definition of “wartime veteran” to include all military personnel who served honorably under Title 10 orders for at least one day during this continuous period of armed conflict. *(Resolution 1, Oct. 17-18, 2018)*

Support VA’s suicide-prevention efforts

An estimated 20 veterans end their lives every day. Most were not receiving care or support through VA that may have saved them. The American Legion supports expanding and promoting mental health treatment for veterans and urges Congress to provide VA necessary funds to hire mental health professionals and proper staffing for its Integrative Health and Wellness Program. *(Resolution 20, May 9-10, 2018)*

Implement, oversee new laws

The 115th Congress passed multiple American Legion-supported bills that help veterans and their families, from the backlog-aimed VA Appeals Modernization Act to the omnibus VA MISSION Act. The Legion now calls on the 116th Congress to ensure these measures are accurately and quickly implemented, as designed. *(Multiple resolutions)*

Fully fund a superior national defense

The American Legion supports a defense budget that reverses sequestration and its effects, rebuilds U.S. military end strength and weaponry and fairly compensates military personnel, especially in an ongoing time of global warfare. *(Resolution 35, Aug. 28-30, 2018)*

Improve health care for women veterans

VA must continue to develop and expand health-care services for the fast-growing population of female veterans, a large percentage of whom do not enroll for VA health care for a number of reasons, according to surveys. Among the factors are limited gender-specific treatment services and awareness of VA benefits. All veterans, regardless of gender, must receive fair and equal VA health-care services. *(Resolution 147, Aug. 30-Sept. 1, 2016)*

Reclassify cannabis for medical research

The American Legion supports increased research on cannabis as part of a larger effort to develop complementary and alternative treatments, as well as therapies, for veterans. The American Legion urges Congress to pass legislation that will remove cannabis from the schedule I drug list and reclassify it to permit research to determine if it has therapeutic purposes. *(Resolution 11, Aug. 30-Sept. 1, 2016)*

Programs to end veteran homelessness

To fully implement VA’s pledge to eradicate veteran homelessness, Congress must continue making investments in affordable housing and programs such as Supportive Services for Veteran Families that move veterans and their families off the streets and into stable housing with supportive services. *(Resolution 340, Aug. 30-Sept. 1, 2016)*

Re-employment rights for veterans

Veterans should not lose their jobs while deployed to protect the freedoms all Americans enjoy. When servicemembers deploy, worrying about whether they will still have employment can hinder mission focus. The American Legion urges Congress to prohibit employers from pressuring servicemembers into waiving their employment rights and protections through arbitration agreements. *(Resolution 85, Aug. 22-24, 2017)*

Access to business capital via GI Bill

As times change, so must the GI Bill. For veteran entrepreneurs, access to capital for starting, purchasing or expanding small businesses is a serious obstacle. The American Legion supports legislation that would expand GI Bill benefits to assist veterans in obtaining access to small business capital. *(Resolution 150, Aug. 30 - Sept. 1, 2016)*

Citizenship for honorable service

Immigrants to the United States often join the U.S. Armed Forces as a route to citizenship. Many veteran immigrants say they have been deported after discharge because they failed to acquire U.S. citizenship while in service. The American Legion supports measures to ensure the process of naturalization through military service is completed prior to discharge. *(Resolution 15, Oct. 17-18, 2018)*

Repeal unfair VA offsets

Many military retirees must forfeit a portion of their pensions to receive VA service-connected disability compensation. It is equally outrageous when VA survivor benefits are offset from military Survivor Benefit Plan annuities. The American Legion supports legislation to repeal both of these unjust offsets. *(Resolution 224, Aug. 30-Sept. 1, 2016)*

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

Resolution No. 1: Unrecognized Armed Hostilities Recognition
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, On December 7, 1941, the United States was attacked by Japan in Pearl Harbor, Hawaii, causing the United States to enter World War II; and

WHEREAS, From that date until December 31, 1946 the United States activated 16,112,566 U.S. military personnel, 405,399 of whom sacrificed their lives in service to the nation and another 670,846 were wounded; and

WHEREAS, The U.S. government set December 31, 1946 as the official end of the World War II era; and

WHEREAS, The next official military war conflict involving activated personnel was the Korean War; and

WHEREAS, The official U.S. government dates for the Korean War's duration span from June 25, 1950 through January 31, 1955; and

WHEREAS, During the Korean War timeframe, no fewer than 5,720,000 were activated for service, of whom 36,574 sacrificed their lives in service to the nation and another 103,284 were wounded; and

WHEREAS, The United States and South Korea never signed a peace treaty acknowledging the end of their conflict with North Korea; and

WHEREAS, The first American serviceman who died in Vietnam was recorded as June 1956 whose name has since been added to the Vietnam Wall as well two Army members killed in 1959 while assigned to the Military Assistance Advisory Group; and

WHEREAS, The next official war requiring activated U.S. military personnel was the Vietnam War; and

WHEREAS, The official U.S. government dates for the Vietnam War's duration span from February 28, 1961 through May 7, 1975; and

WHEREAS, During the Vietnam War timeframe, no fewer than 8,744,000 U.S. military personnel were activated for service, of whom 58,220 sacrificed their lives in service to the nation and another 153,303 were wounded requiring hospital care and 150,341 more were wounded and did not receive hospital care; and

WHEREAS, The next official war requiring activated U.S. military personnel was the Beirut, Lebanon, conflict from August 24, 1982 through July 31, 1984; and

WHEREAS, During the Beirut, Lebanon, timeframe 266 U.S. military personnel sacrificed their lives in service to the nation, and another 169 were wounded in the theater of battle; and

WHEREAS, The next official armed conflict requiring activated U.S. military personnel was the Grenada Crisis from October 25, 1983 through November 1, 1983; and

WHEREAS, During the Grenada Crisis timeframe, 19 U.S. military personnel sacrificed their lives in service to the nation, and 116 were wounded in the theater of battle; and

WHEREAS, The next official armed conflict requiring activated U.S. military personnel was the Panama Crisis from December 20, 1989 through January 31, 1990; and

WHEREAS, During the Panama Crisis timeframe, 23 U.S. military personnel sacrificed their lives in service to the nation, and 325 were wounded in the theater of battle; and

WHEREAS, The next official wartime conflict requiring activated U.S. military personnel was, and is, the Gulf War/War on Terrorism that started on August 2, 1990 and continues today; and

WHEREAS, The aforementioned events are the only official periods of war, or armed hostilities, acknowledged by the U.S. government since World War II; and

WHEREAS, In between the aforementioned events during so-called “peacetime eras,” the U.S. military has been involved in at least 12 known armed hostilities resulting in numerous U.S. personnel combat deaths and wounds; and

WHEREAS, These 12 combat operations unrecognized by the U.S. government occurred at the direction of the then current president of the United States, with full knowledge and consent of the then current U.S. Congress; and

WHEREAS, The first of these armed hostilities requiring activated U.S. military personnel was the Greek Civil War, fought in Greece from 1946 to 1949 between the Greek government army and supported by activated military personal of the United States and the United Kingdom against the Democratic Army of Greece, the military branch of the Greek Communist Party; and

WHEREAS, During the Greek Civil War, one member of the U.S. Armed Forces sacrificed their life in service to the nation, and another five were non-combat deaths; and

WHEREAS, The second unrecognized war era with armed hostile military operations where U.S. military personnel were activated for service was the Chinese Civil War in the aftermath of World War II; and

WHEREAS, The U.S. military equipped, trained, transported, liberated and supplied the Kuomintang-led government with approximately \$4.43 billion in its resistance to the Communist Party of China; and

WHEREAS, During the Chinese Civil War 14 members of the U.S. Armed Forces sacrificed their lives in service to the nation, 150 U.S. non-combatants lost their lives in the war and 51 were wounded, totaling 215 U.S. military casualties; and

WHEREAS, The third unrecognized war era with armed hostile military operations and involving activated U.S. military personnel is known as the Cold War; and

WHEREAS, The Cold War was a period spanning from approximately 1947 until 1991 when the Soviet Union collapsed; and

WHEREAS, Although no direct large-scale military fighting occurred between the United States and Soviet militaries, activated U.S. military personnel served in multiple regional Cold War conflicts resulting in at least 32 members of the U.S. Armed Forces who sacrificed their lives in service to the nation, and no fewer than 12 additional casualties; and

WHEREAS, The fourth such unrecognized war era with armed hostile military operations requiring activated U.S. military personnel is known as the China Cold War; and

WHEREAS, The China Cold War started when the Kuomintang-led government of the Republic of China retreated to the island of Taiwan until 1972 after President Richard Nixon conducted a landmark state visit to China; and

WHEREAS, During China Cold War military operations no less than 16 members of the U.S. Armed Forces sacrificed their lives in service to the nation; and

WHEREAS, The fifth unrecognized war era with armed hostile military operations requiring activated U.S. military personnel was the 1958 Lebanon Crisis which involved more than 14,000 U.S. personal and resulted in one member of the U.S. Armed Forces who sacrificed their life in service to the nation and five U.S. non-combat deaths; and

WHEREAS, The sixth unrecognized war era with armed hostile military operations requiring activated U.S. personnel was the April 1961 “Bay of Pigs” invasion; and

WHEREAS, This mission was the failed military invasion of Cuba undertaken by a Central Intelligence Agency-sponsored U.S. military group that included at least one member of the U.S. Armed Forces who sacrificed their life in service to the nation and 19 non-combat deaths; and

WHEREAS, The seventh unrecognized war era with armed hostile military operations requiring activated U.S. military personnel was the Cuban Missile Crisis, October 16-28, 1962; and

WHEREAS, The Cuban Missile Crisis directly related to homeland protection against a Soviet ballistic missile deployment in Cuba; and

WHEREAS, One member of the U.S. Armed Forces sacrificed their life in service to the nation and 19 others died as non-combatants during the Cuban Missile Crisis; and

WHEREAS, The eighth unrecognized war era with armed hostile military operations requiring activated U.S. military personnel was the Dominican Civil War in 1965; and

WHEREAS, This operation resulted in 27 members of the U.S. Armed Forces who sacrificed their lives in service to the nation, 20 non-combat related deaths and 283 wounded; and

WHEREAS, The ninth unrecognized war era with armed hostile military operations requiring activated U.S. military personnel was the Iran Hostage Crisis from November 4, 1979 through January 20, 1981; and

WHEREAS, The Iran Hostage Crisis involved U.S. military intervention that resulted in 8 members of the U.S. Armed Forces who sacrificed their lives in service to the nation; and

WHEREAS, The tenth unrecognized war era with armed hostile military operations requiring activated U.S. military personnel was the Salvadoran Civil War; and

WHEREAS, The Salvadoran Civil War lasted more than 12 years, across the terms of two U.S. administrations, that resulted in 22 members of the U.S. Armed Forces who sacrificed their lives in service to the nation, 15 non-combat deaths and 35 other casualties; and

WHEREAS, The eleventh unrecognized war era with armed hostile military operations requiring activated U.S. military personnel started on April 5, 1986, when the La Belle discotheque in West Berlin, Germany, was bombed, killing two U.S. soldiers and wounding 79 other members of the U.S. Armed Forces, which triggered what became known as the Libyan Conflict; and

WHEREAS, Libyan Conflict operations included numerous air strikes by the U.S. military forces and resulted in two members of the U.S. Armed Forces who sacrificed their lives in service to the nation; and

WHEREAS, This led to the twelfth unrecognized war era with armed hostile military operations requiring activated U.S. personnel, known collectively as the Persian Gulf Conflicts spanning between July 24, 1987 through September 26, 1988; and

WHEREAS, These U.S. military protection missions of Kuwaiti-owned oil tankers represented the largest U.S. naval convoy operation since World War II; and

WHEREAS, These Persian Gulf events resulted in numerous military operations and at least 39 members of the U.S. Armed Forces who sacrificed their lives in service to the nation and 31 wounded; and

WHEREAS, Since what has been misinterpreted as the “end” of the Korean War on January 31, 1955 the U.S. has had nearly 100 activated U.S. military personnel sacrificed their lives in service to the nation in South Korea, to go along with more than 132 in-country U.S. wounded; and

WHEREAS, On April 27, 2018 during a day-long summit South Korean President Moon Jae-in and North Korean leader Kim Jong Un pledged to formally end the Korean War; and

WHEREAS, Since January 1, 1947 through all of these unrecognized war eras requiring activated U.S. military personnel, described herein, no fewer than 778 U.S. combat and non-combat members of the U.S. Armed Forces have sacrificed their lives in service to the nation and no fewer than 797 have been wounded; and

WHEREAS, Since January 1, 1947 all of the aforementioned unrecognized war era events requiring activated U.S. military personnel who were wounded and killed serving their nation were under orders from the commander-in-chief and with consent of the United States Congress proving that the United States has been conducting deadly wartime service to protect the nation consistently since December 7, 1941; and

WHEREAS, The American Legion has gone on record as supportive of these hostile military operations by the United States and its allies since the beginning of World War II; and

WHEREAS, The American Legion has aided, assisted and comforted the families of those men and women who were called to serve or volunteered to serve during all of these mentioned unrecognized armed hostile events, and continues to provide such support to veterans of those events; and

WHEREAS, The American Legion commends the heroic actions of all military personnel who risked their lives in defense of freedom during each of these unrecognized armed hostile events requiring activated U.S. military personnel; 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 all of these aforementioned previously unrecognized armed hostile events requiring activation of United States military personnel are acknowledged; and, be it further

RESOLVED, That The American Legion recognizes the nearly 1,600 casualties of the U.S. Armed Forces in service to the nation; and, be it further

RESOLVED, That The American Legion calls on the Congress of the United States to declare that the United States of America has been continuously engaged in a state of war from December 7, 1941 to such date in the future as the United States government may determine that there has been an end to armed hostilities; and, be it finally

RESOLVED, That the United States Congress direct the Department of Veterans Affairs to qualify as “war-time veteran” all military service personnel who served honorably under federal government Title 10 orders for at least one day during said period.

**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, 66th 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.”

As the State Commander of the Department of Arizona, The American Legion has for the past 100 years, made strides to modernize our sentiments as we have resolved as an organization to recognize more of our comrades in the years since our inception.

U.S. Code, Title 36, Chapters 41-50, provides direction of membership into the American Legion. As this code, dating back to 1919, was enacted with no provisions for future growth of the Armed Forces and membership eligibilities into the American Legion Veteran Organization. Federal law requires everyone who enlists or re-enlists in the Armed Forces of the United States to take the enlistment oath.

"I will support and defend the Constitution of the United States against all enemies, foreign and domestic. I will bear true faith and allegiance to the same. I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to regulations and the Uniform Code of Military Justice; so help me God."

All individuals who are or have served faithfully in the United States military and separated with an HONORABLE discharge from the Armed Forces should be equally qualified for membership in a Veteran's Organization such as the American Legion with no restrictions. Such eligibility, based on the oath to the Constitution of the United States of America, where one must commit their lives for the very freedom that we the American Citizens enjoy today.

The American Legion has submitted our request to the United States Congress with the desire that our charter should and can be adjusted to support these other Veterans who have served honorably. We look forward to working with our leaders in Congress to support legislation that would recognize their service to the Nation. We encourage Congress to sponsor a substantive bill, in the most useful language possible, as to allow these honorable Veterans to join us in the meaningful work of the American Legion Department of Arizona and any other Department of The American Legion Family that continues to support its Community, Veterans, and their families.

Respectfully,

Steve W. Aguirre
Department Commander
American Legion
Department of Arizona