

116TH CONGRESS
1ST SESSION

S. 504

To amend title 36, United States Code, to authorize The American Legion to determine the requirements for membership in The American Legion, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 14, 2019

Ms. SINEMA (for herself and Mr. TILLIS) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 36, United States Code, to authorize The American Legion to determine the requirements for membership in The American Legion, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Let Everyone Get In-
5 volved in Opportunities for National Service Act” or the
6 “LEGION Act”.

1 **SEC. 2. FINDINGS AND SENSE OF CONGRESS.**

2 (a) FINDINGS.—Congress makes the following find-
3 ings:

4 (1) Since the end of World War II, the Federal
5 Government has designated specific periods of war,
6 the dates of which are important for qualification for
7 certain benefits or membership in veterans organiza-
8 tions established by Congress.

9 (2) In between those recognized periods of war,
10 during so-called peacetime eras, the United States
11 military has been involved in not fewer than 12
12 known eras, which are unrecognized by the United
13 States Government as periods of war, resulting in
14 numerous United States personnel combat casual-
15 ties.

16 (3) Those 12 unrecognized war eras occurred at
17 the direction of the then President of the United
18 States, with full knowledge and consent of the then
19 Congress.

20 (4) The first of those 12 unrecognized war eras
21 involving active United States military personnel was
22 the Greek Civil War, fought in Greece from 1946 to
23 1949 between the army of the Government of
24 Greece, supported by active military personal of the
25 United States and the United Kingdom, and the

1 Democratic Army of Greece, the military branch of
2 the Communist Party of Greece.

3 (5) During the Greek Civil War, one member of
4 the Armed Forces of the United States sacrificed his
5 life in service to the United States, and five others
6 suffered non-combat deaths.

7 (6) The second of those unrecognized war eras
8 involving active United States military personnel was
9 the Chinese Civil War, which occurred during the
10 aftermath of World War II.

11 (7) During the Chinese Civil War, the United
12 States military equipped, trained, transported, and
13 supplied the Kuomintang-led Government of the Re-
14 public of China with approximately \$4,430,000,000
15 in its resistance to the Communist Party of China.

16 (8) During the Chinese Civil War, 14 members
17 of the Armed Forces of the United States sacrificed
18 their lives in service to the United States, 150 non-
19 combatants of the United States lost their lives in
20 the war, and 51 were wounded, resulting in 215
21 United States military casualties.

22 (9) The third unrecognized war era involving
23 active United States military personnel is known as
24 the Cold War.

1 (10) The Cold War was a period spanning from
2 approximately 1947 until 1991 when the Soviet
3 Union collapsed.

4 (11) Although no direct large-scale military
5 fighting occurred between the militaries of the
6 United States and the Soviet Union, active United
7 States military personnel served in multiple regional
8 conflicts during the Cold War, resulting in the
9 deaths of not fewer than 32 members of the Armed
10 Forces who sacrificed their lives in service to the
11 United States and not fewer than 12 additional cas-
12 ualties.

13 (12) The fourth unrecognized war era involving
14 active United States military personnel is known as
15 the China Cold War.

16 (13) The China Cold War started when the
17 Kuomintang-led Government of the Republic of
18 China retreated to the island of Taiwan and lasted
19 until 1972, after President Richard Nixon conducted
20 a landmark state visit to China.

21 (14) During the military operations of the
22 China Cold War, not fewer than 16 members of the
23 Armed Forces of the United States sacrificed their
24 lives in service to the United States.

1 (15) The fifth unrecognized war era involving
2 active United States military personnel was the Leb-
3 anon Crisis of 1958, which involved more than
4 14,000 United States personnel and resulted in the
5 death of one member of the Armed Forces who sac-
6 rificed his life in service to the United States and
7 five non-combat deaths.

8 (16) The sixth unrecognized war era involving
9 active United States military personnel was the Bay
10 of Pigs invasion in April 1961.

11 (17) The Bay of Pigs invasion was a failed mili-
12 tary invasion of Cuba undertaken by a United
13 States military group sponsored by the Central In-
14 telligence Agency that resulted in not fewer than one
15 death of a member of the Armed Forces who sac-
16 rificed his life in service to the United States and 19
17 non-combat deaths.

18 (18) The seventh unrecognized war era involv-
19 ing active United States military personnel was the
20 Cuban Missile Crisis, which took place between Oc-
21 tober 16 and October 28, 1962.

22 (19) The Cuban Missile Crisis directly related
23 to homeland protection against the deployment of a
24 Soviet ballistic missile in Cuba.

1 (20) During the Cuban Missile Crisis, one
2 member of the Armed Forces sacrificed his life in
3 service to the United States and 19 others died as
4 non-combatants.

5 (21) The eighth unrecognized war era involving
6 active United States military personnel was the Do-
7 minican Civil War in 1965.

8 (22) Operations during the Dominican Civil
9 War resulted in the deaths of 27 members of the
10 Armed Forces who sacrificed their lives in service to
11 the United States, 20 non-combat-related deaths,
12 and 283 wounded.

13 (23) The ninth unrecognized war era involving
14 active United States military personnel was the Iran
15 Hostage Crisis, which lasted from November 4,
16 1979, through January 20, 1981.

17 (24) The Iran Hostage Crisis involved military
18 intervention by the United States which resulted in
19 the deaths of 8 members of the Armed Forces who
20 sacrificed their lives in service to United States.

21 (25) The tenth unrecognized war era involving
22 active United States military personnel was the Sal-
23 vadoran Civil War.

24 (26) The Salvadoran Civil War lasted more
25 than 12 years, through the terms of two Presidential

1 administrations of the United States, and resulted in
2 the deaths of 22 members of the Armed Forces who
3 sacrificed their lives in service to the United States,
4 15 non-combat deaths, and 35 other casualties.

5 (27) The 11th unrecognized war era involving
6 active United States military personnel started on
7 April 5, 1986, when the La Belle discotheque in
8 West Berlin, Germany, was bombed, killing two
9 United States soldiers and wounding 79 other mem-
10 bers of the Armed Forces, which triggered what be-
11 came known as the Libyan Conflict.

12 (28) The military operations of the Libyan Con-
13 flict included numerous air strikes by United States
14 military forces and resulted in the deaths of two
15 members of the Armed Forces who sacrificed their
16 lives in service to the United States.

17 (29) The Libyan Conflict led to the 12th unrec-
18 ognized war era involving active United States mili-
19 tary personnel, known collectively as the Persian
20 Gulf Conflicts, which lasted from July 24, 1987,
21 through September 26, 1988.

22 (30) The Persian Gulf Conflicts involved United
23 States military missions to protect Kuwaiti-owned oil
24 tankers which represented the largest United States
25 naval convoy operation since World War II.

1 (31) The Persian Gulf Conflicts resulted in nu-
2 merous military operations and the deaths of not
3 fewer than 39 members of the Armed Forces who
4 sacrificed their lives in service to the United States
5 and 31 wounded.

6 (32) Since the armistice that ended the hos-
7 tilities of the Korean War on January 31, 1955,
8 nearly 100 active United States military personnel
9 have sacrificed their lives in service to the United
10 States in South Korea, and more than 132 people of
11 the United States have been wounded in-country.

12 (33) Since January 1, 1947, through all of the
13 unrecognized war eras involving active United States
14 military personnel, not fewer than 778 combat and
15 non-combat members of the Armed Forces have sac-
16 rificed their lives in service to the United States and
17 not fewer than 797 have been wounded.

18 (34) Since January 1, 1947, the unrecognized
19 war eras involving active United States military per-
20 sonnel who were wounded and killed serving their
21 country were administered under orders from the
22 commander in chief and with the consent of Con-
23 gress, proving that the United States has been con-
24 ducting deadly wartime service to protect the coun-
25 try consistently since December 7, 1941.

1 (35) Eligibility for membership in The Amer-
2 ican Legion is determined by Congress through the
3 establishment of specific dates of declared and offi-
4 cially recognized hostilities in which United States
5 military personnel are on active service.

6 (36) The American Legion provides invaluable
7 services to its members and supports the community
8 of veterans who sacrificed in service of the United
9 States.

10 (37) Membership in The American Legion al-
11 lows veterans to engage in public service activities,
12 such as supporting Boys and Girls State and Na-
13 tion, youth mentorship programs, and benefit assist-
14 ance, career fairs, and employment assistance for
15 veterans.

16 (38) The American Legion has gone on record
17 as supporting the 12 unrecognized war eras involv-
18 ing active United States military personnel since the
19 beginning of World War II.

20 (39) The American Legion has aided, assisted,
21 and comforted the families of the men and women
22 who were called to serve or volunteered to serve dur-
23 ing all of the unrecognized war eras and continues
24 to provide support to veterans of those eras.

1 (40) The American Legion has commended the
2 heroic actions of all military personnel who risked
3 their lives in defense of freedom during each of the
4 unrecognized war eras involving active United States
5 military personnel.

6 (b) SENSE OF CONGRESS.—It is the sense of Con-
7 gress that, in accordance with the history, tradition, and
8 purposes of The American Legion, it is fair, proper, and
9 reasonable that the privilege of membership in The Amer-
10 ican Legion should be extended to all military personnel
11 who served on active military duty during all of the unrec-
12 ognized war eras involving active United States military
13 personnel.

14 **SEC. 3. ELIGIBILITY FOR MEMBERSHIP IN THE AMERICAN**
15 **LEGION.**

16 Section 21703(1)(A) of title 36, United States Code,
17 is amended—

18 (1) in clause (vi), by striking “or”; and

19 (2) by adding at the end the following new
20 clause:

21 “(viii) such other beginning dates
22 through such other ending dates as are
23 provided in the constitution and bylaws of
24 the corporation; or”.

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