

# RESOLUTIONS



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## **Introduction**

Attention: “Good Morning! This morning I will present a class on preparing, writing, evaluation, and processing of Resolutions from Post level all the way to Department and National level and of course the NEC or the National Convention. This class is designed to give an overview of Resolutions. But before I get to the meat of the class I want to ask you one very important question:

## **WHY DO WE HAVE RESOLUTIONS?**

Motivation: PNC Ray Smith, in the April 2001 issue of THE AMERICAN LEGION MAGAZINE, said that “Without the resolution process, our organization would not have guidance in developing programs, allocating funds to help veterans or targeting Congress with issues that affect you, me and the rest of this great country of ours”

Pose the following question: “How does a resolution get started? (Wait for and acknowledge student response)” In the American Legion, Departments are responsible for transmitting resolutions to National Headquarters for action at the National Executive Committee or the National Convention. These resolutions are basically written at either the Post or Department levels and address many different subjects.

## **POST AS ORIGINATOR:**

A Post may pass a resolution and transmit it to Department either as an information copy or with the intent that the Department should consider it at a Departmental meeting. So the question for the Department is: Should the Department deal with it at DEC or at the next Department Convention?

Three other factors:

1. Is the subject matter of only a local concern to the Post?
2. Might there be a wider implication affecting many other Posts?
3. Is there a National implication?
4. Is this a resolution to change the Department Constitution or Bylaws?

For example, a local Post resolves to award a medal to a local policeman who uncovered a plot to smuggle Anthrax into the city’s high school. Normally, the Department would have no reason to consider it for further action at one of its own meetings. The Post’s Resolution honoring the police officer will have served its purpose and need not go any higher.

But if there had been a number of heroic actions across the state, then that may be reason enough to call for a state-wide resolution recognizing these actions.

The Department, after determining whether or not to accept the resolution, might go ahead and write a resolution using a special form developed in the Department for this. If the action involves a national issue, a resolution should be submitted to National Headquarters.

(DOES THIS ALWAYS HAPPEN?)

What happens to the Department Resolution if the issue is not a “national” issue?

(EXPLAIN AGAIN THAT NOT ALL RESOLUTIONS NEED GO TO NATIONAL!)

### **DEPARTMENT AS ORIGINATOR:**

Every Department has their own methods of screening, writing, reviewing, or otherwise bringing about resolutions for attention at National level. While each Department has total discretion over how to determine them, **ALL RESOLUTIONS MUST BE CERTIFIED BY THE DEPARTMENT ADJUTANT** that they were considered and approved at either the Department Convention or the Department Executive Committee. (ASK WHY).

Generally, both the National Convention and the National Executive Committee have the same authority to consider the same subject matters and to pass resolutions. Either body can act on most of the resolutions—with limited exceptions.

Exceptions are:

1. Financial. National Convention can only set the dues, and the NEC can only allocate the monies.
2. Eligibility Rules: Only the National Convention delegates can recommend to Congress a change to Eligibility Criteria.

### **Germaneness or Relevancy of Subject Matter**

- Is the subject of the resolution germane (that is, pertinent) to the mandates as outlined in the Preamble?

Spotted Owl, Red-Cockaded Woodpecker as examples (Most of the time, a resolution supporting wildlife is NOT germane to the Legion’s mission and goals. However, keep in mind that local issues may be a strong indicator of relevancy (RCW and Fort Bragg training!)

- Has The American Legion already a current position on the subject? (If so, it will be “received and recorded”)
- Can the subject matter be taken care of administratively without the need of a resolution that might not be considered for months? (Ex: Department wants to change a Cap Patch. That can normally be handled between the Department and Emblem Sales. Use the Department Resolution as authority for the change)
- Does the Resolution involve a local issue only? (If of local concern only, it does not need National approval)
- Is it reasonable that the intent of the Resolution can be realistically attained? (A resolution to “end terrorism as we know it” sounds great, but is unrealistic, unless sound ideas and recommendations in the resolution as to how it should be done.
- Is the Resolution politically sensitive? (Remember we are supposed to be non-partisan. A resolution of support of one candidate over another, therefore, is too close to a political action. We should stay away.)
- Is the Resolution in proper format? (If not, it may be ruled out of order)

- Should TAL be involved? (We don't have research physicians on staff at National—so we normally would not make a recommendation for a certain drug or class of drug to the VA for use on veterans. However, we can certainly call on the VA to use the most appropriate treatment and medication on its patients, regardless of cost.)

### **SIMPLE OR COMPLEX?**

Each Resolution should be about one subject. Don't combine different objectives into one resolution, such as "increased funding for the Army" and "better voting for troops overseas". Submit two resolutions, instead.

### **TO SEND OR NOT TO SEND TO NATIONAL?**

Sometimes it is simply a judgement call whether or not to send a Resolution on to National Headquarters. To see if there is a current position already on the books, check the latest digests of either the National Convention or the National Executive Committee. Or the Department Adjutant can call the National Library for assistance.

### **WHICH FORM TO USE?**

NEC FORMS: Electronic format. The same NEC Form will work for all NEC meetings. There are no dates on it as to which NEC meeting it is for. The "Resolve Clause" that you use in the NEC resolution should reflect Department action, unlike the National Convention resolution.

Example: "RESOLVED, By the Department Executive Committee of The American Legion, Department of Ohio, assembled in Cleveland on September 25, 2003, that..."

NATIONAL CONVENTION FORM: (Show form in the existing standard sized format and point out that older forms were legal-sized). In 2000-2001, we changed to a single legal-sized form and sent all the Departments the electronic form on a disk. Next year we hope to have this form on the Legion's web site that can be completed and submitted online. NOTE: the National Convention form can ONLY be used for a particular Convention, and the actual date is noted on the form.

Example: "RESOLVED, By The American Legion in National Convention assembled in San Antonio, Texas, August 28, 29, 30, 2001, That The American Legion strongly urges..."

### **DEADLINES and FORMAT**

Timeliness is an issue for all resolutions sent to National. For the NEC, it must be processed and sent to the various committees and commissions, there they will need time to study and make recommendations to the NEC, as appropriate and when possible. Find out when the committee or commission meets that will likely consider your resolution, and make sure they have time to consider it.

National Convention Resolutions need to be here NLT 14 days before the start of the Convention. However, Constitutional Amendment resolutions must be here NLT 20 days before the

Convention. Do not rely on the postmarked date—you may be “out of order” having missed the deadline for that year.

Try to use the computer formats for your resolutions—but if you have computer or software problems you may submit them in paper format. **YOU MUST SUBMIT THEM ON THE RESOLUTION FORMS ISSUED BY NATIONAL HEADQUARTERS**

Once the Resolution is received at the National Library, it will be assign to a committee, they will title the resolution, number it and produce and return a copy for your Department records. This process takes approximately two weeks, but will be faster if you have properly submitted the resolution in electronic format and not on paper.

### **SUPPORTING DOCUMENTATION:**

Sometimes, the resolution itself is sufficient to explain the issue—but this is not often the case. Instead of loading up the resolution with dozens of “Whereas” clauses, provide supporting material (newspaper articles, historical papers, letters, etc.) that will be of help to the committees and members studying the issue. Indicate on the electronic form that supporting material is on the way, and then fax, mail, or scan and electronically transmit the information so that the staff and the appropriate committee members may see the reasoning behind the resolution and why it should be approved.

### **AND, FINALLY, WRITE THE RESOLUTION!**

If the reader doesn’t understand the resolution by only reading the resolve clause, then more work needs to be done on the text. See the digests for good examples of recent resolutions.

