

THE AMERICAN LEGION DEPARTMENT OF CALIFORNIA



RESOLUTIONS GUIDE (2021-2022)

(Updated August 2021)

The purpose of this guide is to assist American Legion members write and submit resolutions for consideration by either the Department Executive Committee or Department Convention. Much of the information came from "[The American Legion Resolutions and Reports](#)" booklet published in 2017. Further information beyond this guide may be found in that publication. I highly suggest you download this from the National website at <https://www.legion.org/publications> (Especially pages 49). This guide will address the format of writing a Resolution and submitting for approval. There will be a blank Sample Resolution Form as well as a well written Resolution on the final pages for you to follow.

What is a Resolution: A resolution is a description of a problem or situation that is then followed by a suggestion as to how to correct that problem. It might also be a statement or declaration as to the policy of a certain matter in which The American Legion believes. It consists of two parts: the preamble (description of the problem) and the resolving clause (how the local post or even the national organization should solve the problem or support the issue). **The entire resolution should be one long, continuous sentence with the preamble clause(s) first and the resolve clause(s) second.**

Any Legionnaire should be able to write a resolution. You do not have to be a post officer. But along the way, you might need the help of other post members. During this process, your resolution might change somewhat. Input from the county or state level might add to the arguments or improve style and grammar. And if the resolution makes it to the national level, a committee of specialists will study the matter and recommend whether or not the organization should support it with a resolution adopted at one of the national meetings. Upon adoption at the national level by the NEC or National Convention, the proposal becomes the position of The American Legion.

Legal Issues: A resolution is the device by which a corporation formally grants authority to act in its name or to function. Hence, it needs to be absolutely clear and precise in the authority that is granted.

A resolution should not use the words "partner" or "partnership." All those in a "partnership," whether individuals or entities are liable for each other. The American Legion has no desire to become liable with anyone or any organization which might be associated in a common interest or program. Use the word "relationship" instead.

The facts upon which a resolution is based should be very thoroughly researched and verified. A resolution should NOT defame or cast aspersions. This can lead to significant liability for defamation of character or libel and slander. It is always appropriate to add documentation. This is especially true

if the facts or the issue might be unfamiliar to commission members, the Subcommittee on Resolutions of the DEC and or NEC or the members of the DEC and or NEC. This becomes even more appropriate at a National Convention.

How to Write a Resolution: Resolutions must be written in a format prescribed by The American Legion Department of California. Resolutions concerning issues affecting The American Legion as a whole must first be written and submitted for approval using the Department format and guidelines. They can only recommend that the Department of California submit the resolution to the NEC or National Convention for consideration. They will be directly converted to the National format after approval by Department and prior to or upon submission to National.

Facts: Before starting you'll need to make sure you have gathered all the necessary facts mentioned above to support your resolution if needed. Be aware that too many facts or too much information can hamper a resolution as much as having too little. Supporting documentation should be attached to the resolution and must come from a credible source.

The Written Word: The RESOLVE Clause: As in other organizations, such as the United Nations or the U.S. Congress, resolutions contain two major sections. They shall be prepared in appropriate form, beginning with a preamble, of which each clause begins with "Whereas" followed by statements of fact and shall conclude with a resolving clause or clauses which shall specifically set forth what statement or declaration is to receive action of the post executive committee. Such a resolving clause or clauses might contain the following leading language, depending on post rules, but to include the identification of resolving authority, the circumstance and place of the action, and the date of the action:

RESOLVED, By Post No. 1, The American Legion, Department of (name), in regular [or special] meeting assembled in (place and date), That (etc.). *(NOTE: This clause should be uniform for each resolution)*

RESOLVED, By The American Legion, Department of California at the Department Convention assembled in _____, California, on June _____, That (etc.)...

The word "That" immediately following the resolving clause introduces the clause that is the object of the verb RESOLVED. It helps the reader to find the point at which the substance of the resolution begins and should be the strong and unmistakable statement of intent.

Each resolution should deal with one subject. But sometimes it is necessary to attach additional clauses to a resolution's resolving section in order to cover matters that are closely related to the main intent. It is useful to provide additional details to spell out how and by whom the intent of the resolution is to be carried out or accomplished.

**RESOLVED, By Post No. (etc.)..., That (etc.) ...; and, be it further
RESOLVED, By Post No. (etc.)..., That (etc.) ...; and, be it further
RESOLVED, That (etc.) ... and, be it further
RESOLVED, That (etc.) ... and, be it finally
RESOLVED, That (etc.) ...**

As you see, the identifying information is stated once, in the first paragraph of the resolving section of the resolution and is not repeated in the following paragraphs.

The resolve clause(s) should be able to stand on its own, even without the whereas clause(s) preceding it.

The Written Word: The WHEREAS Clause

Although the preamble, consisting of Whereas clauses, comes first in the resolution, it should be written after the resolve clauses(s) have been completed. Once the intent of the resolution has been clearly stated, it is much easier to put together the statements needed for understanding why you wanted to write the resolution in the first place. That is, it should contain a statement of fact, which is logically related to the intent of the resolution and explains and justifies the need for the resolution. Note that each clause would stand alone as a complete sentence if the “WHEREAS” was removed and a period was used in place of the semicolon at the end.

WHEREAS, The presentation of Department Firefighter of the Year Awards reflects great credit on firefighters, communities and states and on The American Legion; and

WHEREAS, According to The American Legion’s Consolidated Post Report ... (etc.); now, therefore, be it

RESOLVED, By Post No. ... (etc.), Department of ..., in regular meeting assembled in (place and date) ..., That The American Legion should consider establishing a National Firefighter of the Year Award.”

There is no formula for deciding how many “WHEREAS” clauses should be in the resolution. In general, **the fewer the better**, provided the reason or reasons for the resolution are adequately stated. Do not go into such detail that the resolution becomes a long, drawn-out document that redirects the reader from the real intent of the resolution that is found in the resolve clause.

Study the resolving section of the resolution first and get the exact purpose of the intent firmly in mind. Then start writing down statements of fact that relate to this purpose. Organize the facts into a logical sequence and begin each one with a “WHEREAS.” When the picture has been described, then follow with how The American Legion intends to correct or resolve the situation.

See Form 1a, at the end of this document for an example of a well-written resolution.

Supporting Documentation

When reasonable and possible, supporting material that you submitted should accompany the resolution from your post to the department. *Often the subject matter is such that it may not be required.* But there should be an indication that supporting documentation had been furnished by either the department or post or other submitting authority.

Supporting documentation might consist of newspaper articles, printing from websites, letters from individuals, annual reports, videos, and the like.

Format and Other Technical Details

Because of the weighty nature of resolutions, the significance of the topics and the influence that these have with the general public and our political establishment, precision to the writing is important. Suggestions include:

- using a word processor with a spell and grammar checker
- having someone else read over the resolution, especially someone who doesn't know too much about the subject
- using a font that is easy and large enough to read, either Times Roman or Arial, and no less than 12 point in size
- Bold the resolve clause(s).

Your post constitution and by-laws may give you the procedure to follow as to how your completed resolution should be submitted at your post meeting. It may be that you are required to stand up at the next post meeting and deliver a verbal rendition of the resolution. Or you may need to write the argument on a sheet of plain white paper. Perhaps the post has a special form to use. Following the correct path will mean that no time will be lost resubmitting the resolution.

When a standing committee meets during a formal order of business at a post meeting, the chairman will present a report to the membership present. If there are no objections raised, then the report will be accepted. If it contains resolutions or recommendations for future action, a motion should be made by the reporting member "to adopt the resolutions or recommendations that may be amended in exactly the same manner as any main motion."

So, too, a special committee may become involved in the business of the post meeting. They are appointed for special purposes and are automatically discharged when the special duties for which they were created are completed and their final report is made to the organization. After the motion to adopt the resolution is made, discussion and amendment can follow. Only after it is clear to everyone what the issue is and that there is satisfaction as to how the resolution is composed will a vote be taken.

Once your post has adopted a resolution and the post officers think the subject matter is important for state and national levels of The American Legion to consider for their agenda. Your post cannot send it directly to National Headquarters to be considered for the National Convention or the National Executive Committee meetings. Our department rules require that it be sent to the next level which is the County or District

Resolutions addressed to the District shall be read by the District Adjutant at a regularly scheduled meeting. Such resolutions shall be disposed of in one of the following ways:

1. By a motion to accept. Such a motion shall have the effect of approving the subject matter and should include specific instructions for further disposition to the Department Commander, Department Adjutant or other proper officers; or by reference to an appropriate Commission or Committee or other proper instruction. This will be determined at either the DEC or Department Convention.
2. By a motion to receive and file. Such a motion shall denote neither approval nor disapproval of the subject matter and shall require no action on the part of the District or others beyond a formal reply should such be required.
3. By a motion to reject or decline. Such a motion shall mean disapproval and should include specific instructions for further disposition as contemplated in paragraph 1 above.

If the Resolution is approved by either the DEC or Department Convention and has relevance at the national level then it will be forwarded to Indianapolis for consideration

Follow this Resolution Checklist to assure proper submission and consideration

- Times New Roman or Arial font
- Font size 12 or greater
- Check spelling
- Check grammar
- Subject filled out (Resolution Title)
- Non-expert to read resolution
- No reference to specific congressional bill support
- Date of meeting in header
- Wording in resolve clause is correct
- The entire resolution is only one sentence with a period (.) at end of resolution
- Germaneness (Relevance to The American Legion)
- One subject per resolution
- Signature(s) on each page of the resolution
- Resolve clause(s) in bold
- Authority noted before text of resolution begins
- Concisely title resolution
- Documentation attached when appropriate
- Do not use 'partnership' in reference to other organizations, use 'relationship'

Resolutions being submitted at the Department Convention will be submitted using the Rules of the Convention. **Resolutions that are not properly written, contain an appropriate title or are not signed will not be considered on the floor of the convention.**

At the Convention: Resolutions shall first be presented to the Resolution Assignment Committee by the Department Adjutant for classification and assignment to the appropriate committees without recommendation. After resolutions have been classified, they shall be returned to the Department Adjutant to be retained until called for and received by the chairperson of the respectively assigned standing convention committee. Resolutions must be submitted on time to allow the appropriate standing committee to review it and make a recommendation to pass or reject it on the convention floor.

Pursuant to a resolution passed in 2019, all resolutions will be properly logged in, tracked and controlled by Department at the DEC or Convention.

Revised: 11 August 2021

**THE AMERICAN LEGION
DEPARTMENT OF CALIFORNIA
1601 7TH STREET, SANGER, CA 93657-280**

**103rd Annual Department Convention, Visalia, California
June 23-26, 2022**

Department Resolution No. _____

Subject: Title of the subject being resolved

RESOLUTION

WHEREAS,

WHEREAS,

WHEREAS,

now therefore, be it

RESOLVED, That The American Legion in a Department of California Convention assembled in Visalia, CA, on June 23-28, 2022, That...

This is to certify that the above resolution was adopted by Post, District, and Department

_____ Post Commander	_____ Date	_____ Post Adjutant	_____ Date
_____ District Commander	_____ Date	_____ District Adjutant	_____ Date
_____ Department Commander	_____ Date	_____ Department Adjutant	_____ Date

Original Author (Print): _____ Post # _____

SAMPLE RESOLUTION

**THE AMERICAN LEGION DEPARTMENT OF CALIFORNIA 1601 7TH STREET, SANGER, CA
93657-2801**

102 Annual Department Convention, Visalia, California June 24-30, 2020

THIS FORM MUST BE FILLED OUT IN TRIPLICATE

Resolution No. _____

Subject: Expansion of Veterans Affairs Services

(DO NOT FILL ABOVE THIS LINE)

RESOLUTION

WHEREAS, There are approximately 20.6 deaths by suicide per day among our service members and veterans and worse, only si or 29 percent had recently used federal resources; and

WHEREAS, We can mitigate service member and veteran suicides by fully utilizing safety net services from the Department of Health and Human Services and Veteran Affairs; and

WHEREAS, by fully utilizing Department of Health and Human Services funded community health/social services, we can assist many of our "at-risk-of-suicide" service members as they do not go to military facilities because mental health issues are stigmatized, and their federal poverty level incomes, especially those with families, also strains their quality of life; therefore, the service member's family could be enrolled in Medicaid so they can access community behavioral health services in a civilian setting and also utilize other temporary assistance to needy family services; and

WHEREAS, Many of our Service Members leaving the military do not have concrete plans on the 3-H's: Housing, Health and Honey, or steady income, and uncertainly increases the chance for suicide and/or harm to others; therefore, before their discharge, service member's families, who would qualify at their post-discharge zero income, should be pre-enrolled in Medicaid (via the Department of Health and Human Services) with their home-of-record community health and human/social services; and

WHEREAS, We can also streamline access to Veterans Administration services by giving every discharging service member: a) medical card to ensure continuity of health care during their critical transition period; b) certificate of eligibility for housing vouchers, education, and/or home loan; and c) zero percent disability rating because this "presumptive policy" would simplify the veteran's process for applying for other benefits; therefore be it

RESOLVED, By The American Legion in the Department of California Convention assembled in Ontario, California on June 28-30, 2019, that The American Legion urges the entire federal

government to fully utilize existing safety net services from the Department of Health and Human Services and expanding Veterans Affairs service and benefits as outlined above.