

Resolutions Chairman Link Input 23-01

Any Legionnaire can impact the priorities and positions of The American Legion at any level because the organization's focus is largely directed by resolutions. A resolution is a position-driven initiative written by members and put to a vote. They can be passed at any level starting at the Post level and can impact any level of the organization. The optimal time to write a resolution is in the winter and spring, ahead of department conventions in late spring and summer. If you plan to submit a resolution, please start early and stay in contact with me that we can work to get a good document.

Resolutions are not difficult to write, but they require a lot of attention to detail. The resolutions submitted at our last convention lacked attention to detail. There were problems with poor grammar, poor punctuation, misspelled words and multiple topics in one resolution. The rules are simple, but they must be followed.

When writing a resolution, some general considerations should be kept in mind:

1. A resolution should contain "supporting documents," and its intent should be clearly defined.
2. A resolution should be free of errors of fact and law.
3. A resolution should have material relevance to the purposes and programs of The American Legion.

A resolution should deal with only one topic. Those that address more than one topic make it hard to process, especially if they involve topics which fall under the jurisdiction of more than one committee. They may either be rejected or amended to eliminate all but one topic. Thus topics you may have wanted to be addressed have to wait another year.

Resolutions have two major parts, a *preamble* and a *resolving section*. Each consists of one or more clauses and the whole is read in its entirety, beginning with the preamble, as one continuous complex sentence. The preamble sets forth the reasons for the resolution; the resolving section sets forth the intent of the resolution.

In future months, I will describe resolution writing in detail beginning with the resolving section as it should be written first.

Resolution Chairman Link Input 02

While the Preamble section (the WHEREAS clause(s) that describe the problem) precedes the Resolving section (the RESOLVED clause(s) that detail suggestions on how the problem should be dealt with), the Resolving section should be written first. Once the intent of the resolution is clearly stated, it is much easier to decide what statements need to be in the preamble to make clear the reasons for the resolution. During committee discussions or floor debates, the Resolving section is always amended first and the Preamble section last as changes in the Resolving section may require changes in the Preamble section.

The Resolving section begins with the word “RESOLVED,” usually printed in capital letters and followed by a comma. Between the opening word and the statement of the intent of the resolution, there should be the following information: the identification of the resolving authority, the circumstance and place of the action, and the date of the action.

An example of a resolution initiated by a Post: “RESOLVED, By Post No. _____, The American Legion, Department of _____, in regular (or special) meeting assembled in (place and date), That ...”

The word “That” (with a capital “T”) is the first word that immediately follows the resolving clause and introduces the clause, which is the object of the verb “RESOLVED.” It aids the reader to find the point at which the meat of the resolution begins and it aids the drafter of the resolution to launch a strong and unmistakable statement of intent. Some examples:

RESOLVED, ... That The American Legion shall sponsor and support legislation to ...”

RESOLVED, ... That The American Legion is opposed to repeal or weakening of ...”

Although each resolution should deal with only one subject, it is often necessary to attach additional clauses to a resolution’s Resolving section to cover matters that are closely related to the main intent. This is especially useful for detailing how and by whom the intent of the resolution is to be accomplished. Examples:

“RESOLVED, ... That ...; and, be it further

RESOLVED, (as many as are required) That ...; and, be it finally

RESOLVED, That ...”

Note, the identifying information is stated only once in the first RESOLVED clause and is not repeated in subsequent clauses. A period is used only once—at the close of the last clause in the Resolving section. Remember, the entire resolution is one continuous sentence.

The resolving section clause(s) should be able to stand on its/their own, even without the Preamble section whereas clause(s) preceding it/them.

Resolution Chairman Link Input 23-03

Last month's article addressed in detail the Resolving section. Once the intent of the resolution has been clearly stated in the Resolving section, it is much easier to decide what statements need to be in the Preamble section to make clear the reasons for the resolution. The Preamble should be a clear description of the situation or problem being addressed.

The Preamble section is made up of one or more clauses (or paragraphs), each of which begins with "WHEREAS." Two or more of these clauses are joined together by a semicolon followed by "and." Example:

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

"WHEREAS, This service is performed through The American Legion's basic programs; and (etc.)"

Each clause in the Preamble should contain a statement of fact that is logically related to the intent of the resolution and explains and justifies the need for the resolution. Accuracy of each statement in the preamble is critical because the intent must be based on fact not misinformation. Sources should be clearly identified, such as "WHEREAS, Public Law 101-22 prohibits..." or "WHEREAS, Title 38 United States Code, authorizes..." or "WHEREAS, in *Texas v. Johnson*, 1989, the United States Supreme Court ruled..."

Double-check facts and attempt to document the source as much as possible. Providing supporting materials along with the resolution would be helpful to respective reviewing commissions or committees. Each clause would stand alone as a complete sentence if the "WHEREAS" were removed and a period were used in place of the semicolon at the end.

The final clause of the Preamble is joined to the resolving section of the resolution by a semicolon, followed usually by the phrase "now, therefore be it..." leading to the Resolving section.

There is no formula for deciding how many "WHEREAS" clauses a resolution should have. In general, the fewer the better, provided the reason(s) for the resolution are adequately stated. It is not necessary to refer in the Preamble to every fact or circumstance that has a bearing on the intent of a resolution.

Study the Resolving section and get the exact purpose of the resolution firmly in mind. Then start writing down the statements of fact which relate to this purpose. Organize them in a logical sequence (throwing out the weak or unnecessary ones).

Remember: *do not use a period in the Preamble.*

Resolution Chairman Link Input 23-04

Resolutions are vital to the Legion's mission and are serious business. Without the resolution process, the Legion would have no guidance in developing programs, allocating funds to help veterans or targeting Congress concerning issues that affect you, me, our families and the rest of this great country of ours.

Resolutions tell those in leadership roles what the members want. As adopted by your membership, a resolution represents a formal expression of the official opinion of your Post, District, Area, Department or the National organization. When approved by the local membership, resolutions could proceed to the next step—either District, Area or the Department level. At the Department level, resolutions are dealt with at a Department Executive Committee (DEC) Meeting or a Department Convention.

With formal authorization at the Department level, the resolution may be sent to National Headquarters where it is registered for either the Resolutions Subcommittee for the National Executive Committee (NEC) or the Resolutions Assignment Committee of the National Convention. The resolution is then forwarded by the National Adjutant to the appropriate national-level commission or committee for study. Finally, either the National Executive Committee or the National Convention delegates vote upon the recommended action.

Upon adoption at the national level by either the NEC or the National Convention, the resolution becomes the position of The American Legion.

Resolution Chairman Link Input 23-05

Legal issues: a resolution is a 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, a resolution subcommittee of the NEC or the members of the NEC. This becomes even more appropriate at a National Convention.

Should I write a resolution or not? Subjects for resolutions should be carefully considered. What are the facts? Are you just angry at a situation and later, the “mountain” becomes a “mole hill?” Or are others upset and wondering what to do to change the situation? Does the issue affect the whole community? Is the situation based on hearsay or fact? There doesn't have to be a controversy for a resolution to be written. Before rushing to write a resolution, a number of fundamental questions should be asked about the subject matter. The importance of good writing technique and proper attention to grammar and spelling is essential.

The preamble to the constitution of The American Legion can be used as a guide as to the boundary within which subject matter should be kept. One should be wary of becoming a channel through which non-Legion organizations seek to achieve their own goals. Some things to consider:

- Ensure that the subject matter is relevant to the principles of our organization before submitting them.
- Does The American Legion already have a current position on the subject?
- Can the subject matter be taken care of administratively without a resolution?
- Does the resolution involve a local issue?
- Is legislation involved?
- Is it reasonable that the intent of the resolution can be realistically attained?
- Does the resolution deal with a politically sensitive issue?
- Should The American Legion be involved in this issue?

Resolution Chairman Link Input 23-06

The following is a resolution writing checklist. It should be used as a guide as you are composing your resolution and again to check the final product.

- Use Times New Roman or Arial font
- Font size should be 12 or greater
- Check the spelling-don't just rely on spellchecker
- Check the grammar
- Have a non-expert read it to see if they have issues understanding it
- Make no reference to specific congressional bill support
- Put the date of the meeting in the header
- Ensure the wording in the resolved clause(s) is/are correct
- The entire resolution is only *one sentence* with a period (.) at the end of the resolution
- Ensure the resolution is relevant to The American Legion
- Check the archives to ensure a resolution doesn't already cover the issue
- One subject per resolution
- Signature(s) on each page of the resolution
- Resolved clause(s) in **bold**
- Authority noted before text of resolution begins
- Concisely title the resolution
- Documentation attached when appropriate
- Do not use 'partnership' in reference to other organizations, use 'relationship'

When you have completed your resolution to your satisfaction, please forward it to me for further review at cehill316@aol.com. All resolutions should be reviewed before the deadline for Department to mail them to all Posts.