# UNIFORM CODE OF PROCEDURE

for

# THE ORGANIZATION OF NATIONAL CONVENTIONS

of

## The American Legion

Authorized by
Article V. Section 6, National Constitution

Approved by
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Uniform Code of Procedure

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# UNIFORM CODE OF PROCEDURE

# FOR THE ORGANIZATION OF NATIONAL CONVENTIONS OF wTHE AMERICAN LEGION

## CALL FOR NATIONAL CONVENTION

**I.** Not less than thirty days prior to the date of assembly of the National Convention as fixed by the National Executive Committee (Article V. National Constitution) the national adjutant shall issue an official call for the National Convention. The official call for the National Convention shall be served upon all departments of The American Legion through the department adjutants addressed to the official address of such department headquarters as on record at national headquarters.

The national adjutant is hereby authorized to issue copies of the official call to all other national officers, members of the National Executive Committee and other proper functionaries of the national organization, officers, and functionaries of all departments, and to other proper persons and organizations having an interest or responsibility in connection with the National Convention – addressed to such persons or organizations at an address on record at national headquarters.

**II.** The official call for the National Convention shall contain within its context or in proper annexes, or supplements affixed to the call, the following information and instructions:

a. The time and place of the assembly of the National Convention.

b. The purpose of the National Convention including statement of the business to be transacted.

c. Official announcement of the time and place for the election of national officers.

d. The composition of the National Convention in terms of authorized delegates and other persons entitled to official status as members of the National Convention as provided in the National Constitution and By-laws. Such statement shall also include instructions for issuance of official credentials, the time and place for filing the same, and other pertinent and proper procedural detail.

e. The composition of the National Convention in terms of authorized convention committees and specifications of their assigned tasks and shall include the official number of members of such committees, the manner of appointment of the same, the time and place in the convention city of the initial meetings and manner of organization of such committees, and the procedure for official validation of membership on such committees.

f. Such other official and pertinent information and instruction as shall properly apply to the orderly and efficient organization and operation of the National Convention.

## CONVENTION PROGRAM

**I.** Except as may be provided otherwise herein or as directed by the National Executive Committee, the establishment and arrangement of the "program of proceedings" of the National Convention shall be the duty and prerogative of the national commander.

The national commander is empowered to invite proper guests to the National Convention on behalf of The American Legion, extend the privilege of addressing the National Convention to appropriate

speakers, establish the "order of business" of the National Convention and to order and arrange incidental ceremonies consistent with and properly a part of the National Convention.

**II.** In establishing the "order of business" the national commander shall restrict the schedule of guest speakers for the final session of the National Convention and shall not schedule any such speakers later than 11:30 a.m. (local time of the convention city), of that session.

The election of national officers and the ceremony of installation shall be arranged and scheduled as a special order of business for twelve o'clock (noon) of the final session or at the conclusion of all other business of the National Convention, whichever first occurs.

**III.** The national commander is hereby authorized and empowered to assign specific tasks to national officers or to appoint such members of The American Legion to perform tasks as may appear necessary in the conduct of the National Convention.

**IV.** The national commander shall publish in the official convention program the "order of business" and events established, including a time schedule for the same, and shall cause such "order of business" to prevail except as properly altered by him for cause or set aside by the will of the National Convention upon proper motion in accordance with the standing or special rules of the National Convention as hereinafter provided.

## OFFICIALS OF THE CONVENTION

**I.** The presiding officer of the National Convention shall be the national commander of The American Legion. The national commander shall have power and authority to yield the chair from time to time

to a national vice commander of The American Legion for the conduct of official business of the National Convention.

The national commander may yield the chair to a past national commander of The American Legion or to any other delegate of the National Convention for ceremonial purposes.

In either instance due note thereof shall be included in the minutes of proceedings.

In the event that the national commander is not available to preside over the National Convention, the National Executive Committee shall be convened immediately by open call in the place of assembly of the National Convention by the national adjutant as contemplated in Article II, Section 3, of the National By-laws.

**II.** The national adjutant shall be the secretary of the National Convention. The national adjutant may yield this office from time to time to any assistant during the National Convention by and with the consent of the national commander or other presiding officer then in the chair.

**III.** The national judge advocate shall be parliamentarian of the National Convention. The national commander may appoint one or more assistant parliamentarians. Such parliamentarians shall be members of The American Legion.

**IV.** The national commander shall appoint a sergeant-at-arms and such assistant sergeants-at-arms of the National Convention as may be necessary in conducting the proceedings and maintaining order in the National Convention. Sergeants-at-arms shall be solely responsible to the national commander or the presiding officer in the chair.

**V.** The national commander shall be empowered and authorized to designate the official color guard of the National Convention, the official musical organization, and such other functionaries as may be necessary to the proper conduct of proceedings and ceremonials as may be scheduled or directed.

## PRELIMINARY ORGANIZATION OF THE NATIONAL CONVENTION

**I.** Delegates to a National Convention shall be accredited in writing to the national adjutant in the number and manner prescribed by Articles V, VI and VII of the National Constitution. The rights of departments to make and accredit substitutions for absentee delegates or alternate delegates shall be recognized by the national adjutant, provided that such substitution shall be officially certified by the department commander or department adjutant at the time of the certification required by the National Constitution or at any time prior to adjournment of the first session of the National Convention.

**II.** The national adjutant, within the limits of the National Constitution, is authorized to design and circulate such proper forms as may be required to record and certify the accreditation of delegates and alternate delegates. The national adjutant is further authorized to establish such reasonable and proper administrative rules as may be necessary in assembling the official list of delegates and alternates accredited and entitled to be seated in the National Convention. All such forms or other administrative requirements shall be certified officially by the department commander or department adjutant at the times specified by the National Constitution, or the national adjutant. Disputes concerning the accreditation of delegates and alternate delegates shall be referred to the Credentials & Rules Convention Committee.

## CONVENTION COMMITTEES

**I.** The following convention committees shall be established:

| | Committee | Delegates per dept. |
|---|---|---|
| 1. | **Americanism** | 1 delegate |
| 2. | **Constitutional Amendments** | 1 delegate |
| 3. | **Credentials & Rules** | 1 delegate |
| 4. | **Finance** | 1 delegate |
| 5. | **Internal Affairs** | 1 delegate |
| 6. | **Legislation** | 1 delegate |
| 7. | **National Security** | 1 delegate |
| 8. | **Veterans Affairs & Rehabilitation** | 1 delegate |
| 9. | **Veterans Employment & Education** | 1 delegate |

## DUTIES OF CONVENTION COMMITTEES

**1. Americanism**

To formulate and recommend matters of American Legion policy to the National Convention, including plans and programs respecting an understanding and appreciation of the government of the United States, its constitution and other historic political pronouncements as well as the duties and responsibilities of citizenship thereunder with reference to, but not limited to, matters pertaining to patriotic devotion to the United States, assimilation of aliens as United States citizens, education and educational facilities, providing protection, care and improved conditions for all children and youth, development of patriotic youth activities and other matters such as religious emphasis consistent with the aims and purposes of The American Legion in the cultivation of loyalty to the United States as expressed in the preamble to The American Legion Constitution.

**2. Constitutional Amendments**

To study and make recommendations to the National Convention concerning all matters pertaining to proposed changes in the National Constitution and By-laws of The American Legion. Any proposed amendment to the National Constitution and By-laws of The American Legion shall first receive an affirmative vote of the convention committee on Constitutional Amendments of at least two-thirds of the votes cast by that committee, in order for that committee to recommend adoption of any such proposed amendment to the National Constitution and By-laws.

**3. Credentials & Rules**

To receive from the national adjutant a statement of the number of delegates to which the several departments are entitled under the National Constitution, to verify and recommend approval of the same, including adjustment of disputes thereon and to report to the National Convention at its first session.

To consider and devise special rules of order for the National Convention not provided for in the rules of convention as may be required or directed by the National Convention for the purpose of processing issues or the special business of the National Convention. Such special rules shall apply only to the National Convention for which they were adopted.

**4. Finance**

To formulate and recommend matters of policy to the National Convention concerning the financial affairs of The American Legion, including reception of the reports of the national treasurer and the national Finance Commission, and the fixing of annual dues of the national organization.

**5. Internal Affairs**

To formulate and recommend matters of policy to the National Convention, including plans respecting promo-

tion of American Legion membership and all other phases of internal affairs of The American Legion.

**6. Legislation**

To formulate and recommend matters of American Legion policy to the National Convention including plans and programs respecting federal legislation including resolutions thereon not otherwise assigned to other convention committees.

**7. National Security**

To formulate and recommend matters of American Legion policy to the National Convention, including plans and programs respecting the National Security of the United States and in training of the youth of the nation, to the end that the military, paramilitary and industrial potential of the United States shall be maintained.

**8. Veterans Affairs & Rehabilitation**

To formulate and recommend to the National Convention policies in all phases of veterans affairs as they concern all veterans, including, but not limited to, plans and programs for their physical and mental rehabilitation, their entitlement to compensation and pension benefits, and the welfare and support of their immediate family members, dependents and survivors.

**9. Veterans Employment & Education**

To formulate and recommend matters of American Legion policy to the National Convention including plans and programs respecting all phases of economic reestablishment of United States veterans as civilians with reference to, but not limited to, education and training, social and economic readjustment, employment in public and private service, veterans preference, veterans housing, homelessness, and other economic matters.

## CONVENTION COMMITTEE PROCEDURES

**I.** The national commander or the National Executive Committee may from time to time establish special convention committees for specific purposes. Such special convention committees shall serve only during the National Convention for which they are appointed.

**II.** The National Convention may cause the creation and appointment of special convention committees upon proper motions adopted.

**III.** Convention committees shall be called for organization by the National Convention in the convention city at a time and place to be designated.

**IV.** Each department shall designate delegates or alternates for service on each convention committee and shall file with the national adjutant a list of such designees at least two weeks prior to the opening session of the National Convention. Each department shall notify their designees of their appointment to convention committees by mail stating the time and place in the convention city of the initial meetings of these committees.

**V.** For each convention committee, one liaison representative from national organization personnel shall be assigned by the national commander. Such liaison representative shall at the appointed time and place, call the convention committee to order, call the roll of authorized delegates, and elect a convention committee chairman and convention committee secretary from among members of the convention committee.

**VI.** Representation from a majority of the departments shall constitute a quorum in each conven-

tion committee. Failing to establish an initial quorum the convention committee shall recess until a quorum is established.

**VII.** Departments shall have the right of substitution of convention committee members provided proper credentials, approved by the national adjutant, are filed with the liaison representative or, later, with the convention committee secretary.

**VIII.** The liaison representative shall file, promptly, a report with the national adjutant stating the name and department of the chairman and secretary of the convention committee with their contact information and a list of the convention committee members responding to the initial roll call.

**IX.** Convention committees shall proceed to business promptly under the Uniform Code of Procedure for the Organization of National Conventions of The American Legion.

Convention committees, upon their own motion, may seat as ex-officio members with voice but no vote, members of related standing national commissions and committees who are not otherwise designated by their departments.

**X.** Convention committees should endeavor to complete their tasks and compose their final report by noon of the day immediately preceding the opening of the National Convention, provided all final policy forming convention committee reports to be presented to the National Convention shall be approved by such convention committees in meetings held after the National Convention is formally convened or, at the option of the convention committee, it may authorize the chairman and secretary of the convention committee

by majority vote to sign and deliver the report on the convention committee's behalf. Such final reports shall be filed with the office of the national adjutant. Report distribution will be handled in accordance with Resolution No. 18, NEC May 1966, which states: RESOLVED, By the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, on May 4-5, 1966, That effective with the 1966 National Convention of The American Legion, the national adjutant, or his assistants, shall cause to be made available to chairmen of department delegations or the secretaries thereof, resolutions and constitutional amendments based on the following distribution: One copy to each delegate assigned to a convention committee; Departments of fifty (50) or less accredited delegates, 3 copies of each committee report; Departments of more than fifty (50) and less than one hundred (100) accredited delegates, 5 copies of each report; Departments with from 101 to 200 accredited delegates, 10 copies of each report; Departments with more than 200 accredited delegates, 15 copies of each report; and, be it finally RESOLVED, That no report shall be made on the floor of the National Convention unless said convention committee report, in the numbers specified above, has been in the hands of the chairman or secretary of the department delegation at least two hours in advance of its delivery, unless administratively impossible.

**XI.** A convention committee report shall be prepared in that form best presenting the convention committee's recommendations. Particular attention shall be given to reporting the disposition of resolutions referred to the convention committee. The

work of convention committees, however, shall not be confined solely to resolutions referred to them, but may extend to action upon any proper subject within their scope and the convention committees may make comment and observation in their report upon subjects of policy and operations.

**XII.** Reports of convention committees establishing pronouncement of American Legion policy or calling for legislative or other action, shall be supported by specific resolution.

**XIII.** Convention committee reports in narrative form are acceptable if supported by resolutions on specific points of policy and are completely documented as to the source of material used in preparation with particular references to resolutions assigned to the convention committees and showing their disposition.

**XIV.** A delegate desiring to appear and be heard on a subject before a convention committee to which the delegate was not assigned shall apply to the chairman of the convention committee whose decision will be final.

## ORGANIZATION OF DEPARTMENT CONVENTION DELEGATIONS

Department delegations in the National Convention shall be organized according to the following:

a. Eachdepartmentdelegationshallselectfromamong its delegates a delegation chairman and shall designate a delegation secretary. Notice of such selection and designation shall be submitted in writing to the national adjutant not later than the opening session of the convention.

b. Shouldanydepartmentdelegationfailtomakesuch selection or designation the department commander and department adjutant shall be deemed to be the delegation chairman and secretary respectively.

c. Thedelegationchairmanshallprideoverthedepartment delegation when convened in the National Convention. The delegation chairman shall be recognized by the presiding officer as the floor leader of the delegation and shall be responsible under the National Convention rules for polling and announcing the vote of the delegation. The delegation chairman shall be the principal authority in identifying the official delegates and alternates of the delegation on questions of the right of the floor and shall otherwise be responsible for the proper representation of the department delegation in the National Convention.

d. Thedelegationsecretaryshallreceiveallformalnotices or other official communications in the name of the department delegation. The delegation secretary shall perform such other duty in consonance with the office as may be required under the rules of the National Convention or as prescribed by the delegation caucus.

## RULES OF CONVENTION

1. *Robert'sRulesofOrderNewlyRevised*shallbethe authority on parliamentary procedure, with the following modifications set forth herein.

2. Delegatesdesiringtomakeamotionoraddressthe National Convention shall rise, address the chair as appropriate and state their name and the name of their department before proceeding.

3. Debate shall be limited to five minutes for each speaker.

4. Debate on any one subject presented to the

National Convention shall be limited to two hours except under such special rule as the National Convention shall adopt prior to debate.

5. Only two delegates from any one delegation shall be permitted the floor on any one question. Where disagreement exists within a delegation, one delegate shall be permitted to speak on each side of the question. Upon a division of the question, however, this rule shall be applied separately for each division.

6. The floor shall be permitted only once to any individual delegate on any one question, except by a two-thirds vote of the National Convention. Chairmen of convention committees may speak as frequently as may be necessary in connection with the reports of their committees.

The presiding officer shall not entertain any motion which will curtail further debate without affording the committee chairman an opportunity to make the final statement of the debate.

7. Decisions on rules of debate or parliamentary order by the presiding officer may be subject to appeal by any two delegates under a point of order. Such appeal shall take precedence over any pending questions and shall be decided forthwith. An appeal from the decision of the chair shall be put to the National Convention on the question: "Shall the chair be sustained?"

8. When the poll of any department delegation is demanded by a delegate of such department, the National Convention secretary shall poll the vote without discussion of the question being voted upon.

9. On the roll calls, each delegation chairman shall poll their delegation on the floor and announce its vote.

10. A delegation secretary, if not an accredited delegate or alternate, shall be seated with the secretary's delegation.

11. Past national commanders' votes shall be cast with their delegations.

12. Only accredited delegates or their alternates shall participate, directly or indirectly, in a viva voce vote on any subject before the National Convention.

13. Department delegations may arrive at a vote in such manner as they choose, but shall announce it in terms of full units and not in terms of a fractional part of a vote. The vote of any delegate absent and not represented by an alternate shall be cast by the majority of the delegates present from the department.

14. There shall be no unit rule of voting.

15. Voting shall be by acclamation, except when a roll call is demanded by the chairman of at least three departments. Election of national officers shall be by roll call.

16. In the event a department has not provided the method by which alternates shall be designated to serve in the place of absent delegates, the chairman of the delegation shall make such designation.

17. Prior to the election of national officers, the national commander shall appoint, subject to approval of the National Convention, a judge of election and such number of tellers as deemed necessary, provided that the total tellers so appointed shall be an odd number. In a contested election, candidates going to the ballot shall each be entitled to one teller of their choice.

18. Nominations for national officers shall be from the floor on roll call of the departments alphabetically

arranged. Each department may present as many candidates as it chooses.

19. Nominating speeches for national officers shall be limited to five minutes each. Not more than two seconding speeches shall be made for any candidate, and said speeches shall be limited to three minutes.

20. When more than two candidates are nominated for any office, balloting shall continue until one candidate receives a majority of the votes of the National Convention, except in the election of national vice commanders.

21. In a contested election for national vice commanders, balloting shall continue until (a) majorities and (b) pluralities are established for one or more candidates under the following provisions:

If, on any ballot taken, less than five candidates receive the necessary majority to elect, the candidate or candidates receiving a majority vote shall be declared elected and a new ballot shall be taken for the remaining number of places to be filled. The candidate receiving the lowest number of votes on the preceding ballot shall be disqualified. Except, should two candidates remain to fill one place, a new ballot shall be taken.

22. The National Convention will nominate and elect a national commander, and five national vice commanders, in this sequence.

23. At the conclusion of balloting on national vice commanders, each department delegation chairman shall deliver a written ballot to the tellers. Such ballots shall be in the hands of the tellers before communication is made to the national commander for announcement of the results.

24. Those recognized by the national commander shall be entitled to a respectful hearing, and the chair shall have the authority to clear the gallery or the floor or have the sergeants-at-arms escort from the National Convention anyone creating a disturbance or interfering with orderly procedure.

25. None of the above rules shall be construed as preventing an alternate delegate from serving on a National Convention committee.

26. The consent of two-thirds of the voting strength of the National Convention is necessary for suspension of the rules of the National Convention.

27. Any amendment to any resolution or report originating on the floor shall be presented in writing and transmitted to the presiding officer at the time of the introduction of such amendment.

28. Special rules applying to specific issues or order of business shall be written and presented to the National Convention by the convention committee on Credentials & Rules for adoption by majority vote at least one hour before such issue, or order, is to be considered unless such rule is agreed to by unanimous consent of the final session.

Special rules shall prevail only in the National Convention adopting them.

Any delegate may apply for a special rule to the convention committee on Credentials & Rules or may appeal to the National Convention for such special rule provided the rule be presented in writing, be read once from the platform, and shall lay upon the table at least one hour before the vote thereon is taken.

## RESOLUTIONS TO BE CONSIDERED BY THE CONVENTION

1. Resolutions shall be submitted on a proper form and shall be numbered for identification as provided by the national adjutant.

2. Resolutions shall be approved by a department, the National Executive Committee, or any committee of the National Convention. Resolutions submitted in advance of the National Convention by departments or the National Executive Committee shall be filed with the national adjutant who shall refer them to the National Convention Resolutions Assignment Committee.

3. Resolutions emanating from a department shall be forwarded to the national adjutant in conformity with the provisions of Resolution No. 50 (NEC, May, 1965) to be received fourteen (14) days prior to the opening session of the National Convention. The only exception to this rule is in the case of a department convention held on a date that renders it physically impossible to comply with the restricted time limit.

4. Resolutions originating with and approved by a convention committee shall be received, assigned, and processed through the national adjutant for record and assigned number.

5. The national adjutant shall maintain a register of all National Convention resolutions received, assigned, and processed which shall identify each resolution by number, indicate the convention committee to which the resolution was referred, and the originating source.

6. In the disposition of resolutions considered, convention committees shall present them in the fol-

lowing manner: Approved, Approved as Amended, Consolidated, Referred, Received and Recorded, and Rejected. The term "Received and Recorded" shall be applied to resolutions which reiterate or reaffirm a present policy position of The American Legion.

7. All resolutions assigned to or originating with convention committees shall be identified in the convention committee reports to the National Convention with a statement of convention committee disposition.

8. Beginning with the transition from the 115th to the 116th Congress (January 2017), all resolutions with legislative intent are to be reviewed by the appropriate convention committees at the National Convention immediately preceding the convening of a new Congress. The convention committees shall include in their reports to the National Convention an addendum listing those resolutions (including meeting information, resolution number and title), previously approved with legislative intent, that are to remain as part of the legislative program of The American Legion for the next Congress. Any resolution with legislative intent that needs to be updated in any way shall be submitted as a new resolution through either the National Convention or National Executive Committee. The resolutions with legislative intent which are to remain as part of the legislative program and any new resolutions for legislative action shall be reported to the NEC as provided under Rule 8-b of the Rules of the NEC. Note: Any resolution not carried forward or submitted as a new resolution will be removed from the legislative program and considered rescinded."

## AMENDMENTS TO THE UNIFORM CODE OF PROCEDURE

This Uniform Code of Procedure may be amended:

1. By majority vote of the total authorized representation at a National Convention on a resolution properly before it, or

2. By action of the National Executive Committee.

## AUTHORITY

### Article V, Section 6, National Constitution

The National Executive Committee shall provide a Uniform Code of Procedure for the orderly organization and operation of National Conventions with continuing power of revision, and said Code shall be applicable at all National Conventions unless it is amended, suspended, or repealed by a majority vote of the total authorized representation at a National Convention.

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