

**NATIONAL EXECUTIVE COMMITTEE  
OF  
THE AMERICAN LEGION  
May 7-8, 2025  
Indianapolis, Indiana**

**Resolution No. 14: Temporary Financial Assistance Program Policy Update  
Origin: Committee on Children & Youth  
Submitted by: Finance Commission**

WHEREAS, The American Legion's Temporary Financial Assistance (TF A) program ensures the integrity of the American family home and health and well-being for children of eligible veterans through cash grants that provide direct maintenance to those children; and

WHEREAS, Resolution No. 5 of the National Executive Committee, May 2022, titled, "Statement of Policy and Procedures for the Temporary Financial Assistance Program" established a maximum one-time non-repayable grant in the amount of \$1,500 and established qualifying criteria and procedures to administer the program; and

WHEREAS, The American Legion remains committed to serving the needs of the veteran and the well-being of minor children of those veterans to advance the principles of Americanism and to honor those who serve; and

WHEREAS, A major factor that contributes to self-harm for veterans is financial instability, particularly when the veteran's family is affected, and The American Legion is committed to "Be The One" to help address a veteran in crisis; and

WHEREAS, Temporary Financial Assistance has had a substantive and significant history of helping a veteran care for their family in their time of need; and

WHEREAS, Significant increases in housing costs, utilities and sustenance continues to challenge some veterans with minor children in the home; and

WHEREAS, The Committee on Children & Youth, with concurrence of the Americanism Commission and Finance Commission; concludes that the grant amount established in Resolution No. 5 of the National Executive Committee, May 2022, is no longer sufficient to meet the needs of a veteran with a minor child in the home who is challenged financially to keep shelter; now, therefore, be it

**RESOLVED, By the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, on May 7-8, 2025, That the statement of policy governing the Temporary Financial Assistance is hereby updated as follows:**

- **A single one-time non-repayable Temporary Financial Assistance grant of up to \$2,500 may be permitted for the minor child(ren) of a qualifying veteran;**
- **A qualifying veteran is defined as a member of the United States Armed Forces currently serving on federal orders under Title 10 of the United States Code, inclusive of all components, or any veteran possessing an up-to-date membership in The American Legion;**
- **An inquiry into and verification of the need, and cause of need, should be conducted by a personal visitation to the home or other whereabouts of such child(ren) by a competent investigator(s);**

- **Formal documentation and/or a signed written testament of an investigator's statement of findings is required as part of the Temporary Financial Assistance investigation process, and verification that all other forms of financial assistance available have been sought and applied for, or have already been denied;**
- **Annual cumulative expenditure of Temporary Financial Assistance grants may not exceed \$700,000 without prior approval of the chairmen of both the Americanism and Finance Commissions and the national commander; and, be it further**

**RESOLVED, That the Committee on Children & Youth, with review and concurrence of the Americanism and Finance Commissions, maintain in writing and review at least every two years the conditions, rules, guidelines and procedures for managing administration of the Temporary Financial Assistance program; and, be it further**

**RESOLVED, That updates aforementioned in this resolution be effective with its passing, and that no previous grant recipients shall be eligible to apply due to present or future increases in the grant amount; and, be it finally**

**RESOLVED, That Resolution No. 5 of the National Executive Committee, May 2022, titled, "Statement of Policy and Procedures for the Temporary Financial Assistance Program" is hereby superseded and rescinded.**

**The American Legion Department of Arkansas**  
**Department Convention**  
**Held on**  
**June 20-22, 2025**  
**Resolution**

**Page 1 of 1**

**No.:**

**Title:** Coast Guard U.S.C Title 14 Benefit and Program Access

**Origin:** Vice Chair of Air Force Affairs

**Type:** Internal Affairs

**Assigned To:**

**WHEREAS**, The American Legion extends benefits of certain grants and other program access to United States Armed Force members serving on federal orders under Title 10 of the United States Code, inclusive of all its components, and

**WHEREAS**, These benefits are not conditional to membership in The American Legion, and

**WHEREAS**, The Coast Guard is established under U.S.C Title 14 as a military service and a branch of the armed forces of the United States at all times, and

**WHEREAS**, Coast Guard members only serve on Title 10 Federal Orders when temporarily transferred to the Department of the Navy under Presidential Proclamation or by a Congressional Declaration of War, and

**WHEREAS**, Active Duty members of the Coast Guard experience the same degree of deployment, family separation, and hardship that other branches of the Armed Forces experience, now, therefore be it

**RESOLVED**, by The American Legion Department of Arkansas, during the State Convention held June 20<sup>th</sup> through 22<sup>nd</sup>, 2025, in North Little Rock, that members of the Coast Guard serving on Active Duty under U.S.C. Title 14 Federal Orders have access and are eligible to all American Legion grants and benefits that other active-duty Armed Force branches receive.

*Resolutions Subcommittee Recommendations*

*Committee/Commission Chairman Signature and Name*

- ☐ Approve
- ☐ Approve with Amendment
- ☐ Reject
- ☐ Receive and Record
- ☐ Consolidate with \_\_\_\_\_
- ☐ Refer to Standing Commission or Committee on \_\_\_\_\_
- ☐ Other Action \_\_\_\_\_

\_\_\_\_\_  
Name \_\_\_\_\_

**Action of Department Convention**

**Date**

\_\_\_\_\_

\_\_\_\_\_

March 16, 2023

## **TFA GRANTS CARE FOR VETERANS WITH MINOR CHILDREN IN THE HOME**

**By The American Legion**    Dispatch

**The American Legion program has disbursed over \$16 million in financial assistance since 1925 to eligible active-duty military and current Legion members with minor children in the home.**

For active-duty military and American Legion members with minor children in the home, keeping your child(ren) in a stable environment is important. Therefore, whether it's meeting daily financial demands after a job loss, needing temporary housing after devastation caused to a home after a tornado or severe storm, or keeping the lights on after facing a hardship, The American Legion can help.

Through its Temporary Financial Assistance (TFA) program, The American Legion has awarded over \$16 million in non-repayable grants since 1925 to eligible applicants.

TFA grants are available to minor children of eligible active-duty servicemembers and current American Legion members in need. The TFA program distributes one-time grants of up to \$1,500. Grantees must have minor children in the home and the funds are designed to help meet the cost of shelter, food, utilities and health expenses so that children have a stable environment during a time of hardship.

No child can be considered eligible until a complete investigation is conducted at the post or department level, a legitimate family need is determined, and all other available assistance resources have been utilized or exhausted.

The TFA program is outlined in Resolution No. 5 (Spring 2022), titled: The Statement of Policy and Procedures for the Temporary Financial Assistance grant program. To qualify, a veteran must:

- Be a veteran with an up-to-date membership in The American Legion or a **United States Armed Forces member serving on federal orders under Title 10 of the United States Code, inclusive of all its components.**
- Have minor child(ren) that must be the biological child, stepchild, legally adopted or in legal custody, and living in the home of the veteran or active-duty servicemember full-time, no older than the age of 17, or may be up to 20 years old if still in high school.
- Have exhausted all other forms of assistance that has been sought after, applied for, or denied.

TFA grants are applied for by contacting your local American Legion post or department. For more information, please visit [legion.org/financialassistance](https://legion.org/financialassistance).

The American Legion Temporary Financial Assistance program is funded through the generosity of donations made by American Legion members and the public to The American Legion Veterans and Children Foundation (VCF). Donations to VCF are tax deductible and can be made online at [legion.org/donate](https://legion.org/donate).

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Dispatch

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## 14 USC Ch. 1: ESTABLISHMENT AND DUTIES

### From Title 14—COAST GUARD

#### SUBTITLE I—ESTABLISHMENT, POWERS, DUTIES, AND ADMINISTRATION

## CHAPTER 1—ESTABLISHMENT AND DUTIES

Sec.	
101.	Establishment of Coast Guard.
102.	Primary duties.
103.	Department in which the Coast Guard operates.
104.	Removing restrictions.
105.	Secretary defined.
106.	Commandant defined.

### EDITORIAL NOTES

### PRIOR PROVISIONS

A prior analysis for chapter 1 "ESTABLISHMENT AND DUTIES" consisted of items 1 "Establishment of Coast Guard", 2 "Primary duties", 3 "Department in which the Coast Guard operates", 4 "Secretary defined", and 5 "Commandant defined", prior to repeal by Pub. L. 115–282, [title I, §103\(a\), Dec. 4, 2018](#), 132 Stat. 4195.

### AMENDMENTS

**2018**—Pub. L. 115–282, [title I, §103\(a\), Dec. 4, 2018](#), 132 Stat. 4195, inserted chapter 1 designation and heading and added items 101 to 106.

## §101. Establishment of Coast Guard

The Coast Guard, established January 28, 1915, shall be a military service and a branch of the armed forces of the United States at all times.

(Aug. 4, 1949, ch. 393, 63 Stat. 496, §1; Pub. L. 94–546, [§1\(1\), Oct. 18, 1976](#), 90 Stat. 2519; Pub. L. 107–296, [title XVII, §1704\(a\), Nov. 25, 2002](#), 116 Stat. 2314; Pub. L. 112–213, [title II, §217\(1\), Dec. 20, 2012](#), 126 Stat. 1555; renumbered §101, Pub. L. 115–282, [title I, §103\(b\), Dec. 4, 2018](#), 132 Stat. 4195.)

### HISTORICAL AND REVISION NOTES

Based on title 14, U.S.C., 1946 ed., §1 ([Jan. 28, 1915, ch. 20, §1](#), 38 Stat. 800; [July 11, 1941, ch. 290, §§5, 6\(a\)](#), 55 Stat. 585).

Said section has been divided. Provisions relating to operation under the Navy in time of war are placed in sections 3 and 4 of this title, and the remainder is in this section.

This section continues the Coast Guard as a military service and branch of the armed forces of the United States at all times. By the act of July 11, 1941, 55 Stat. 585 (title 14, U.S.C., 1946 ed., §1), the Coast Guard was constituted a branch of the land and naval forces of the United States at all times. This section therefore merely continues an existing agency and codifies existing law on the military status of the Coast Guard, substituting "armed forces" for "land and naval forces" because of the recent establishment of the Department of the Air Force as an "armed force" rather than as a part of the "land and naval forces". The Coast Guard is designated a service in the Treasury Department except when operating as a service in the Navy. This is a better definition of the status of the Coast Guard than one which defines it as a service under the Treasury Department in time of peace, because the President is authorized to place the Coast Guard under the Navy in time of emergency, which could be in time of peace.

Changes were made in phraseology. 81st Congress, House Report No. 557.

### EDITORIAL NOTES

### PRIOR PROVISIONS

A prior section 101 was renumbered section 562 of this title.

For redesignation of prior sections 1 to 100 not listed below as having been previously repealed or omitted, see Table Showing Redesignations Made by Title I of Pub. L. 115–282 preceding this section.

A prior section 5, act [Aug. 4, 1949, ch. 393](#), 63 Stat. 497, which defined the term "Secretary" for purposes of this title, was omitted in the general amendment of this chapter by Pub. L. 112–213, [title II, §217\(1\), Dec. 20, 2012](#), 126 Stat. 1555. See section 105 of this title.

A prior section 43, act [Aug. 4, 1949, ch. 393](#), 63 Stat. 498, provided for relative rank of commissioned officers with respect to Army and Navy officers, prior to repeal by act [Aug. 10, 1956, ch. 1041, §53](#), 70A Stat. 641. See section 741 of Title 10, Armed Forces.

A prior section 45, act [Aug. 4, 1949, ch. 393](#), 63 Stat. 498, related to permanent grade of Commandant on expiration of term, prior to repeal by Pub. L. 86–474, [§1\(4\), May 14, 1960](#), 74 Stat. 144.

Prior sections 48 and 49 were repealed by Pub. L. 86–474, §1(7), May 14, 1960, 74 Stat. 145.

Section 48, act Aug. 4, 1949, ch. 393, 63 Stat. 499, related to permanent grade of that Assistant Commandant and Engineer in Chief on expiration of term.

Section 49, act Aug. 4, 1949, ch. 393, 63 Stat. 499, related to grade and retired pay upon retirement of Assistant Commandant or Engineer in Chief.

A prior section 50a, added Pub. L. 103–206, title II, §205(b)(1), Dec. 20, 1993, 107 Stat. 2422, related to appointment and grade of Chief of Staff of the Coast Guard, prior to repeal by Pub. L. 111–281, title V, §511(b), Oct. 15, 2010, 124 Stat. 2952.

A prior section 55, added Pub. L. 111–281, title II, §214(a), Oct. 15, 2010, 124 Stat. 2915, related to appointment and functions of District Ombudsman, prior to repeal by Pub. L. 112–213, title II, §216(a), Dec. 20, 2012, 126 Stat. 1555.

A prior section 82, act Aug. 4, 1949, ch. 393, 63 Stat. 500; Sept. 3, 1954, ch. 1263, §31, 68 Stat. 1237; Pub. L. 85–726, title XIV, §1404, Aug. 23, 1958, 72 Stat. 808; Pub. L. 89–662, §2, Oct. 14, 1966, 80 Stat. 912; Pub. L. 94–546, §1(4), (5), Oct. 18, 1976, 90 Stat. 2519; Pub. L. 97–295, §2(3), Oct. 12, 1982, 96 Stat. 1301; Pub. L. 99–640, §10(a)(3), Nov. 10, 1986, 100 Stat. 3549; Pub. L. 103–272, §5(d), July 5, 1994, 108 Stat. 1373; Pub. L. 104–201, div. A, title XI, §1122(c), Sept. 23, 1996, 110 Stat. 2687, related to cooperation with Administrator of the Federal Aviation Administration with respect to aids to air navigation, prior to repeal by Pub. L. 112–213, title II, §216(b), Dec. 20, 2012, 126 Stat. 1555.

A prior section 87, act Aug. 4, 1949, ch. 393, §1, 63 Stat. 501, related to color and numbering of buoys along coast, or in bays, harbors, sounds, or channels, as indicating whether such buoys were to be passed on the starboard or port hand and prescribed the coloring for buoys in channel ways, prior to repeal by Pub. L. 94–546, §1(6), (7), Oct. 18, 1976, 90 Stat. 2519.

A prior section 90, act Aug. 4, 1949, ch. 393, 63 Stat. 502; Pub. L. 85–726, title XIV, §1404, Aug. 23, 1958, 72 Stat. 808; Pub. L. 94–546, §1(8), Oct. 18, 1976, 90 Stat. 2519, authorized the Coast Guard to operate and maintain floating ocean stations, prior to repeal by Pub. L. 112–213, title II, §216(c), Dec. 20, 2012, 126 Stat. 1555.

## **AMENDMENTS**

**2018**—Pub. L. 115–282 renumbered section 1 of this title as this section.

**2012**—Pub. L. 112–213 amended section generally. Prior to amendment, text read as follows: "The Coast Guard as established January 28, 1915, shall be a military service and a branch of the armed forces of the United States at all times. The Coast Guard shall be a service in the Department of Homeland Security, except when operating as a service in the Navy."

**2002**—Pub. L. 107–296 substituted "Department of Homeland Security" for "Department of Transportation".

**1976**—Pub. L. 94–546 substituted "Department of Transportation" for "Treasury Department".

## **STATUTORY NOTES AND RELATED SUBSIDIARIES**

### **EFFECTIVE DATE OF 2002 AMENDMENT**

Amendment by Pub. L. 107–296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107–296, set out as a note under section 101 of Title 10, Armed Forces.

### **SHORT TITLE OF 2021 AMENDMENT**

Pub. L. 116–283, div. G, title LVXXXII [LXXXII], §8271, Jan. 1, 2021, 134 Stat. 4681, provided that: "This subtitle [subtitle E (§§8271–8278) of title LVXXXII [LXXXII] of div. G of Pub. L. 116–283, enacting sections 1905, 2131, and 5111 of this title and section 417 of Title 6, Domestic Security, amending section 1903 of this title, and enacting provisions set out as a note under section 1901 of this title] may be cited as the 'Coast Guard Academy Improvement Act'."

### **SHORT TITLE OF 2018 AMENDMENT**

Pub. L. 115–265, title III, §301, Oct. 11, 2018, 132 Stat. 3752, provided that: "This title [enacting provisions set out as a note under section 313 of this title] may be cited as the 'Coast Guard Blue Technology Center of Expertise Act'."

### **SHORT TITLE OF 2014 AMENDMENT**

Pub. L. 113–281, §1, Dec. 18, 2014, 128 Stat. 3022, provided that: "This Act [see Tables for classification] may be cited as the 'Howard Coble Coast Guard and Maritime Transportation Act of 2014'."

### **SHORT TITLE OF 2012 AMENDMENT**

Pub. L. 112–213, §1(a), Dec. 20, 2012, 126 Stat. 1540, provided that: "This Act [see Tables for classification] may be cited as the 'Coast Guard and Maritime Transportation Act of 2012'."

### **SHORT TITLE OF 2010 AMENDMENT**

Pub. L. 111–281, title V, §501, Oct. 15, 2010, 124 Stat. 2951, provided that: "This title [enacting sections 57 to 59, 102, and 200 of this title and section 2116 of Title 46, Shipping, amending sections 47, 50, 51, 52, 93, and 290 of this title and section 3309 of Title 46, repealing section 50a of this title, and enacting provisions set out as a note under section 50 of this title] may be cited as the 'Coast Guard Modernization Act of 2010'."

### **SHORT TITLE OF 2006 AMENDMENT**

Pub. L. 109–241, §1, July 11, 2006, 120 Stat. 516, provided that: "This Act [see Tables for classification] may be cited as the 'Coast Guard and Maritime Transportation Act of 2006'."

## SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108–293, §1, Aug. 9, 2004, 118 Stat. 1028, provided that: "This Act [see Tables for classification] may be referred to as the 'Coast Guard and Maritime Transportation Act of 2004'."

## SHORT TITLE OF 2002 AMENDMENT

Pub. L. 107–295, title III, §301, Nov. 25, 2002, 116 Stat. 2102, provided that: "This title [amending sections 259, 260, 271, 336, and 511 of this title, sections 1203, 1231a, 2073, 2302, and 2752 of Title 33, Navigation and Navigable Waters, and sections 2110, 2302, 4508, 7302, 8701, and 13110 of Title 46, Shipping, and enacting provisions set out as notes under sections 88 and 92 of this title and section 1113 of Title 33] may be cited as the 'Coast Guard Personnel and Maritime Safety Act of 2002'."

Pub. L. 107–295, title IV, §401, Nov. 25, 2002, 116 Stat. 2113, provided that: "This title [see Tables for classification] may be cited as the 'Omnibus Maritime and Coast Guard Improvements Act of 2002'."

## TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

Coast Guard transferred to Department of Transportation and all functions, powers, and duties, relating to Coast Guard, of Secretary of the Treasury and of other offices and officers of Department of the Treasury transferred to Secretary of Transportation by Pub. L. 89–670, §6(b)(1), Oct. 15, 1966, 80 Stat. 931. Section 6(b)(2) of Pub. L. 89–670, however, provided that notwithstanding such transfer of functions, Coast Guard shall operate as part of Navy in time of war or when President directs as provided in section 3 of this title. See section 108 of Title 49, Transportation.

## DESIGNATION OF COAST GUARD HEADQUARTERS BUILDING

Pub. L. 113–31, Aug. 9, 2013, 127 Stat. 511, provided that:

"SECTION 1. DESIGNATION.

"The headquarters building of the Coast Guard on the campus located at 2701 Martin Luther King, Jr., Avenue Southeast in the District of Columbia shall be known and designated as the 'Douglas A. Munro Coast Guard Headquarters Building'.

"SEC. 2. REFERENCES.

"Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in section 1 shall be deemed to be a reference to the 'Douglas A. Munro Coast Guard Headquarters Building'."

## §102. Primary duties

The Coast Guard shall—

- (1) enforce or assist in the enforcement of all applicable Federal laws on, under, and over the high seas and waters subject to the jurisdiction of the United States;
- (2) engage in maritime air surveillance or interdiction to enforce or assist in the enforcement of the laws of the United States;
- (3) administer laws and promulgate and enforce regulations for the promotion of safety of life and property on and under the high seas and waters subject to the jurisdiction of the United States, covering all matters not specifically delegated by law to some other executive department;
- (4) develop, establish, maintain, and operate, with due regard to the requirements of national defense, aids to maritime navigation, icebreaking facilities, and rescue facilities for the promotion of safety on, under, and over the high seas and waters subject to the jurisdiction of the United States;
- (5) pursuant to international agreements, develop, establish, maintain, and operate icebreaking facilities on, under, and over waters other than the high seas and waters subject to the jurisdiction of the United States;
- (6) engage in oceanographic research of the high seas and in waters subject to the jurisdiction of the United States; and
- (7) maintain a state of readiness to assist in the defense of the United States, including when functioning as a specialized service in the Navy pursuant to section 103.

(Aug. 4, 1949, ch. 393, 63 Stat. 496, §2; Pub. L. 87–396, §1, Oct. 5, 1961, 75 Stat. 827; Pub. L. 91–278, §1(1), June 12, 1970, 84 Stat. 304; Pub. L. 93–519, Dec. 13, 1974, 88 Stat. 1659; Pub. L. 99–640, §6, Nov. 10, 1986, 100 Stat. 3547; Pub. L. 100–448, §17, Sept. 28, 1988, 102 Stat. 1845; Pub. L. 100–690, title VII, §7403, Nov. 18, 1988, 102 Stat. 4484; Pub. L. 112–213, title II, §217(1), Dec. 20, 2012, 126 Stat. 1556; renumbered §102 and amended Pub. L. 115–282, title I, §103(b), title III, §302, Dec. 4, 2018, 132 Stat. 4195, 4243.)

## HISTORICAL AND REVISION NOTES

This section defines in general terms, for the first time in any statute, all the primary duties of the Coast Guard. It is derived from title 14, U.S.C., 1946 ed., §§45, 50k–50o, 51, 52, 53, 55, 60, 61, 62, 63, 98a, 104, 261, 301, title 33, U.S.C., 1946 ed., §§720, 720a, 740, 740a, 740b, title 46, U.S.C., 1946 ed., §§1 (footnote), 2 (R.S. 1536, 2747, 2758, 2759, 4249; June 23, 1874, ch. 455, §1, 18 Stat. 220; June 18, 1878, ch. 265, §4, 20 Stat. 163; July 5, 1884, ch. 221, §2, 23 Stat. 118; Feb. 14, 1903, ch. 552, §10, 32 Stat. 829; Apr. 19, 1906, ch. 1640, §§1–3, 34 Stat. 123; May 12, 1906, ch. 2454, 34 Stat. 190; June 17, 1910, ch. 301, §§6, 7, 36 Stat. 538; Mar. 4, 1913, ch. 141, §1, 37 Stat. 736; June 24, 1914,



ch. 124, 38 Stat. 387; Mar. 3, 1915, ch. 81, §5, 38 Stat. 927; Aug. 29, 1916, ch. 417, 39 Stat. 1820; May 22, 1926, ch. 371, §6, 44 Stat. 626; June 30, 1932, ch. 314, §501, 47 Stat. 415; May 27, 1936, ch. 463, §1, 49 Stat. 1380; Aug. 16, 1937, ch. 665, §3, 50 Stat. 667; Feb. 19, 1941, ch. 8, §§2, 201, 55 Stat. 9, 11; July 11, 1941, ch. 290, §7, 55 Stat. 585; Nov. 23, 1942, ch. 639, §2(2), 56 Stat. 102; Sept. 30, 1944, ch. 453, §1, 58 Stat. 759; June 22, 1948, ch. 600, 62 Stat. 574; June 26, 1948, ch. 672, 62 Stat. 1050).

This section contains a codification of functions. It sets forth in general language the primary responsibilities of the Coast Guard: enforcement of all Federal laws on waters to which they have application, safety of life and property at sea, aiding navigation, and readiness to function with the Navy. Having been created in 1915 by the consolidation of the Revenue Cutter Service and the Life Saving Service, the Coast Guard has gradually been given additional duties and responsibilities, such as the assignment of law enforcement powers on the high seas and navigable waters in 1936, the transfer of the Lighthouse Service in 1939, and the transfer of the Bureau of Marine Inspection and Navigation in 1942. Existing along with these other duties has been that of maintaining a state of readiness as a specialized service prepared for active participation with the Navy in time of war. These various interdependent functions of the Service have not been expressed collectively in any statute heretofore, but it is believed desirable to do so in this revision in order to have outlined in general terms in one section the broad scope of the functions of the Coast Guard. 81st Congress, House Report No. 557.

#### **EDITORIAL NOTES**

#### **PRIOR PROVISIONS**

A prior section 102 was renumbered section 717 of this title.

#### **AMENDMENTS**

**2018**—Pub. L. 115–282, §103(b), renumbered section 2 of this title as this section.

Par. (7). Pub. L. 115–282, §302, amended par. (7) generally. Prior to amendment, par. (7) read as follows: "maintain a state of readiness to function as a specialized service in the Navy in time of war, including the fulfillment of Maritime Defense Zone command responsibilities."

**2012**—Pub. L. 112–213 amended section generally. Prior to amendment, section related to primary duties of the Coast Guard.

**1988**—Pub. L. 100–690 substituted "United States; shall engage in maritime air surveillance or interdiction to enforce or assist in the enforcement of the laws of the United States; shall administer" for first reference to "United States;"

Pub. L. 100–448 substituted "Federal laws on, under, and over" for "Federal laws on and under".

**1986**—Pub. L. 99–640 inserted ", including the fulfillment of Maritime Defense Zone command responsibilities."

**1974**—Pub. L. 93–519 inserted provision requiring Coast Guard to develop, establish, maintain and operate, pursuant to international agreements, icebreaking facilities in waters other than those subject to the jurisdiction of the United States.

**1970**—Pub. L. 91–278 improved and clarified text, substituting "on and under" for "upon" in clause preceding first semicolon; inserting "and under" after "life and property on" and striking out "on" after "the high seas and" in clause preceding second semicolon; and substituting "icebreaking" for "ice-breaking" and inserting ", under," after "promotion of safety on" in clause preceding third semicolon, respectively.

**1961**—Pub. L. 87–396 required Coast Guard to engage in oceanographic research on high seas and in waters subject to jurisdiction of the United States.

#### **STATUTORY NOTES AND RELATED SUBSIDIARIES**

#### **TRANSFER OF FUNCTIONS**

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

### **§103. Department in which the Coast Guard operates**

(a) **IN GENERAL.**—The Coast Guard shall be a service in the Department of Homeland Security, except when operating as a service in the Navy.

(b) **TRANSFERS.**—Upon the declaration of war if Congress so directs in the declaration or when the President directs, the Coast Guard shall operate as a service in the Navy, and shall so continue until the President, by Executive order, transfers the Coast Guard back to the Department of Homeland Security. While operating as a service in the Navy, the Coast Guard shall be subject to the orders of the Secretary of the Navy, who may order changes in Coast Guard operations to render them uniform, to the extent such Secretary deems advisable, with Navy operations.

(c) **OPERATION AS A SERVICE IN THE NAVY.**—Whenever the Coast Guard operates as a service in the Navy—

(1) applicable appropriations of the Navy Department shall be available for the expense of the Coast Guard;

(2) applicable appropriations of the Coast Guard shall be available for transfer to the Navy Department;

(3) precedence between commissioned officers of corresponding grades in the Coast Guard and the Navy shall be determined by the date of rank stated by their commissions in those grades;

(4) personnel of the Coast Guard shall be eligible to receive gratuities, medals, and other insignia of honor on the same basis as personnel in the naval service or serving in any capacity with the Navy; and

(5) the Secretary may place on furlough any officer of the Coast Guard and officers on furlough shall receive one half of the pay to which they would be entitled if on leave of absence, but officers of the Coast Guard Reserve shall not be so placed on furlough.

(Aug. 4, 1949, ch. 393, 63 Stat. 496, §3; Pub. L. 94–546, §1(2), Oct. 18, 1976, 90 Stat. 2519; Pub. L. 107–296, title XVII, §1704(a), Nov. 25, 2002, 116 Stat. 2314; Pub. L. 109–241, title II, §211, July 11, 2006, 120 Stat. 523; Pub. L. 112–213, title II, §217(1), Dec. 20, 2012, 126 Stat. 1556; renumbered §103, Pub. L. 115–282, title I, §103(b), Dec. 4, 2018, 132 Stat. 4195.)

## **HISTORICAL AND REVISION NOTES**

Based on title 14, U.S.C., 1946 ed., §1 (Jan. 28, 1915, ch. 20, §1, 38 Stat. 800; July 11, 1941, ch. 290, §§5, 6(a), 55 Stat. 585).

Said section has been divided. The provisions relating to when the Coast Guard operates as a service in the Navy are in this section. The provisions relating to the establishment of the Coast Guard are placed in section 1 of this title. The provisions relating to appropriations are placed in section 4 of this title.

Changes were made in phraseology. 81st Congress, House Report No. 557.

## **EDITORIAL NOTES**

### **PRIOR PROVISIONS**

A prior section 103 was renumbered section 563 of this title.

### **AMENDMENTS**

**2018**—Pub. L. 115–282 renumbered section 3 of this title as this section.

**2012**—Pub. L. 112–213 amended section generally. Prior to amendment, text read as follows: "Upon the declaration of war if Congress so directs in the declaration or when the President directs, the Coast Guard shall operate as a service in the Navy, and shall so continue until the President, by Executive order, transfers the Coast Guard back to the Department of Homeland Security. While operating as a service in the Navy, the Coast Guard shall be subject to the orders of the Secretary of the Navy who may order changes in Coast Guard operations to render them uniform, to the extent he deems advisable, with Navy operations."

**2006**—Pub. L. 109–241 inserted "if Congress so directs in the declaration" after "Upon the declaration of war".

**2002**—Pub. L. 107–296 substituted "Department of Homeland Security" for "Department of Transportation".

**1976**—Pub. L. 94–546 substituted "Executive" for "executive" and "Department of Transportation" for "Treasury Department".

## **STATUTORY NOTES AND RELATED SUBSIDIARIES**

### **EFFECTIVE DATE OF 2002 AMENDMENT**

Amendment by Pub. L. 107–296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107–296, set out as a note under section 101 of Title 10, Armed Forces.

## **§104. Removing restrictions**

Any law removing for the duration of a war or national emergency proclaimed by the President any restriction contained in any then-existing law as applied to the Navy, including, but not limited to, restrictions relating to the manner in which purchases may be made and contracts awarded, fiscal operations, and personnel, shall, in the same manner and to the same extent, remove such restrictions as applied to the Coast Guard.

(Aug. 4, 1949, ch. 393, 63 Stat. 550, §652; renumbered §104, Pub. L. 115–282, title I, §103(b), Dec. 4, 2018, 132 Stat. 4195.)

## **HISTORICAL AND REVISION NOTES**

This section is new and provides that any law removing for the duration of a war or national emergency any restriction contained in any then-existing law as applied to the Navy shall operate in the same manner to remove such restrictions as applied to the Coast Guard. Included are restrictions relating to the manner in which purchases may be made and contracts awarded, fiscal operations, and personnel. This provision is designed to enable the Coast Guard to operate as efficiently as the Navy Department in time of war or during a national emergency and would permit the Coast Guard more effectively to maintain itself in a state of military readiness during periods of emergency. Since the Coast Guard operates as part of the Navy in time of war, it is essential that its operations be as flexible and as efficient as those of the Department of which it is to be a part. This section would prevent inadvertent failures specifically to mention the Coast Guard in legislation of the type described in this section from hindering service operations. 81st Congress, House Report No. 557.

## **EDITORIAL NOTES**

### **PRIOR PROVISIONS**

A prior section 104 was renumbered section 528 of this title.

## AMENDMENTS

**2018**—Pub. L. 115–282 renumbered section 652 of this title as this section.

### §105. Secretary defined

In this title, the term "Secretary" means the Secretary of the respective department in which the Coast Guard is operating.

(Aug. 4, 1949, ch. 393, 63 Stat. 497, §4; May 5, 1950, ch. 169, §14(u), 64 Stat. 148; Pub. L. 89–444, §1(1), June 9, 1966, 80 Stat. 195; Pub. L. 112–213, title II, §217(1), Dec. 20, 2012, 126 Stat. 1557; renumbered §105, Pub. L. 115–282, title I, §103(b), Dec. 4, 2018, 132 Stat. 4195.)

## HISTORICAL AND REVISION NOTES

Subsections (a) and (b) are based on title 14, U.S.C., 1946 ed., §1 (Jan. 28, 1915, ch. 20, §1, 38 Stat. 800; July 11, 1941, ch. 290, §§5, 6(a), 55 Stat. 585).

Said section has been divided. The provisions relating to appropriations are in this section. The provisions relating to establishment of the Coast Guard are placed in section 1 of this title. The provisions relating to when the Coast Guard operates as a service in the Navy are placed in section 3 of this title.

The substantive changes relating to the availability of appropriations when the Coast Guard is transferred to the Navy were suggested by the Bureau of the Budget (July 11, 1941, ch. 290, §6 (a), 55 Stat. 585).

Subsection (c) is based on title 14, U.S.C., 1946 ed., §7 (Aug. 29, 1916, ch. 417, 39 Stat. 600).

Subsection (d) is derived from title 34, U.S.C., 1946 ed., §§355 to 356b (Feb. 4, 1919, ch. 14, §§2–5, 40 Stat. 1056; Aug. 7, 1942, ch. 551, §1, 56 Stat. 743).

Said sections authorized medals for presentation ". . . to any person who, while serving in any capacity with the Navy of the United States . . ."; inasmuch as this language includes the Coast Guard when it is operating under the Navy, this subsection entails no change in existing law.

Subsection (e) is based on title 34, U.S.C., 1946 ed., §228 (R.S. 1442; Feb. 28, 1942, ch. 11, 59 Stat. 9).

Inasmuch as R.S. 1442 cited above applies to the Navy and Marine Corps as well as the Coast Guard it is not scheduled for repeal but is being amended by section 6 of this act to eliminate reference to the Coast Guard.

Subsection (f) is based on title 14, U.S.C., 1946 ed., §3 (Aug. 29, 1916, ch. 417, 39 Stat. 600).

Said section has been divided. The provisions concerning applicability of Navy laws to Coast Guard personnel are placed in this section. The provisions of the provisos of title 14, U.S.C., 1946 ed., §3 are placed in section 571 of this title.

Changes were made in phraseology. 81st Congress, House Report No. 557.

## EDITORIAL NOTES

## AMENDMENTS

**2018**—Pub. L. 115–282 renumbered section 4 of this title as this section.

**2012**—Pub. L. 112–213 amended section generally. Prior to amendment, section related to operation of Coast Guard as a service in the Navy.

**1966**—Pub. L. 89–444 made technical changes in subsecs. (d) and (e) by inserting "and" at end of subsec. (d) and substituting a period for "; and" at end of subsec. (e).

**1950**—Act May 5, 1950, repealed subsec. (f) which provided that personnel of the Coast Guard should be subject to the laws for the government of the Navy.

## STATUTORY NOTES AND RELATED SUBSIDIARIES

### EFFECTIVE DATE OF 1950 AMENDMENT

Act May 5, 1950, ch. 169, §5, 64 Stat. 145, provided that the amendment made by that section is effective May 31, 1951.

### §106. Commandant defined

In this title, the term "Commandant" means the Commandant of the Coast Guard.

(Added Pub. L. 115–232, div. C, title XXXV, §3531(a), Aug. 13, 2018, 132 Stat. 2320, §5; renumbered §106, Pub. L. 115–282, title I, §103(b), Dec. 4, 2018, 132 Stat. 4195.)

## EDITORIAL NOTES

## PRIOR PROVISIONS

For redesignation of prior sections 141 to 296 not listed below as having been previously repealed or renumbered, see Table Showing Redesignations Made by Title I of Pub. L. 115–282 preceding section 101 of this title.

A prior section 182, [Aug. 4, 1949, ch. 393](#), 63 Stat. 508; [Pub. L. 88–276, §5\(b\), Mar. 3, 1964](#), 78 Stat. 153; [Pub. L. 89–444, §1\(8\), June 9, 1966](#), 80 Stat. 195; [Pub. L. 91–278, §1\(4\), June 12, 1970](#), 84 Stat. 304; [Pub. L. 94–572, §1, Oct. 21, 1976](#), 90 Stat. 2708; [Pub. L. 97–295, §2\(8\), Oct. 12, 1982](#), 96 Stat. 1302; [Pub. L. 100–448, §12, Sept. 28, 1988](#), 102 Stat. 1843; [Pub. L. 109–163, div. A, title VI, §687\(d\), Jan. 6, 2006](#), 119 Stat. 3336; [Pub. L. 111–281, title IX, §903\(b\)\(4\), Oct. 15, 2010](#), 124 Stat. 3011; [Pub. L. 115–91, div. A, title VI, §618\(a\)\(2\), Dec. 12, 2017](#), 131 Stat. 1426, related to cadets' appointment to the Academy and agreement to serve, prior to repeal by [Pub. L. 115–282, title I, §110\(c\)\(2\), Dec. 4, 2018](#), 132 Stat. 4215.

A prior section 193, act [Aug. 4, 1949, ch. 393](#), 63 Stat. 510; [Pub. L. 94–546, §1\(16\), Oct. 18, 1976](#), 90 Stat. 2520; [Pub. L. 97–322, title I, §118\(b\), Oct. 15, 1982](#), 96 Stat. 1586; [Pub. L. 100–448, §9, Sept. 28, 1988](#), 102 Stat. 1842; [Pub. L. 102–241, §15, Dec. 19, 1991](#), 105 Stat. 2213, provided for an Advisory Committee to the Academy, prior to repeal by [Pub. L. 112–213, title II, §216\(e\), Dec. 20, 2012](#), 126 Stat. 1555.

A prior section 198, added [Pub. L. 109–241, title II, §209\(a\), July 11, 2006](#), 120 Stat. 522, provided for fellowships in Coast Guard history, prior to repeal by [Pub. L. 112–213, title II, §216\(f\), Dec. 20, 2012](#), 126 Stat. 1555.

A prior section 200 was renumbered section 199 of this title and subsequently renumbered section 1948 of this title.

Prior sections 212 and 213 were repealed by [Pub. L. 103–337, div. A, title V, §541\(f\)\(5\)\(A\), \(h\), Oct. 5, 1994](#), 108 Stat. 2767, effective on the first day of the fourth month beginning after Oct. 5, 1994.

Section 212, added [Pub. L. 88–130, §1\(10\)\(C\), Sept. 24, 1963](#), 77 Stat. 177; amended [Pub. L. 98–557, §15\(a\)\(3\)\(B\), Oct. 30, 1984](#), 98 Stat. 2865, related to original appointment of permanent commissioned warrant officers in Coast Guard. See section 571 et seq. of Title 10, Armed Forces.

Section 213, added [Pub. L. 88–130, §1\(10\)\(C\), Sept. 24, 1963](#), 77 Stat. 178; amended [Pub. L. 98–557, §15\(a\)\(3\)\(B\), Oct. 30, 1984](#), 98 Stat. 2865, related to original appointment of permanent warrant officers (W–1) in Coast Guard. See section 571 et seq. of Title 10.

A prior section 216, added [Pub. L. 109–241, title II, §215\(a\), July 11, 2006](#), 120 Stat. 525, provided that the initial appointment of the Director of the Boating Safety Office would be in the grade of Captain, prior to repeal by [Pub. L. 111–281, title II, §209, Oct. 15, 2010](#), 124 Stat. 2912.

Prior sections 221 to 248 were repealed by [Pub. L. 88–130, §1\(10\)\(A\), Sept. 24, 1963](#), 77 Stat. 177.

Section 221, act [Aug. 4, 1949, ch. 393](#), 63 Stat. 512, authorized filling of vacancies in active list of regular commissioned officers.

Section 222, acts [Aug. 4, 1949, ch. 393](#), 63 Stat. 512; [May 14, 1960, Pub. L. 86–474, §1\(16\)](#), 74 Stat. 146, related to promotion to flag rank.

Section 223, act [Aug. 4, 1949, ch. 393](#), 63 Stat. 512, related to methods and criteria used in filling of vacancies by promotion.

Section 224, act [Aug. 4, 1949, ch. 393](#), 63 Stat. 512, authorized filling of vacancies by appointment.

Section 225, act [Aug. 4, 1949, ch. 393](#), 63 Stat. 513, authorized President to make permanent appointments. See section 571 et seq. of Title 10, Armed Forces.

Section 226, act [Aug. 4, 1949, ch. 393](#), 63 Stat. 513, authorized appointment of temporary commissioned officers.

Section 227, acts [Aug. 4, 1949, ch. 393](#), 63 Stat. 514; [May 5, 1950, ch. 169, §15](#), 64 Stat. 148, related to promotion and discharge of temporary commissioned officers.

Section 228, act [Aug. 4, 1949, ch. 393](#), 63 Stat. 514, authorized appointment of commissioned warrant officers. See section 571 et seq. of Title 10, Armed Forces.

Section 229, act [Aug. 4, 1949, ch. 393](#), 63 Stat. 514, related to revocation of commissions during first three years of service.

Section 230, acts [Aug. 4, 1949, ch. 393](#), 63 Stat. 514; [May 29, 1954, ch. 249, §19\(h\)](#), 68 Stat. 167, related to compulsory retirement of commissioned officers, with exception of commissioned warrant officers, at age 62.

Section 231, act [Aug. 4, 1949, ch. 393](#), 63 Stat. 514, related to voluntary retirement after 30 years service.

Section 232, acts [Aug. 4, 1949, ch. 393](#), 63 Stat. 514; [Aug. 4, 1955, ch. 553, §2](#), 69 Stat. 493, related to voluntary retirement after 20 years service.

Section 233, act [Aug. 4, 1949, ch. 393](#), 63 Stat. 515, related to retirement for disabilities incident to service. See sections 1204 and 1376 of Title 10, Armed Forces. Section had previously been repealed by act [Aug. 3, 1950, ch. 536, §36](#), 64 Stat. 408.

Section 234, acts [Aug. 4, 1949, ch. 393](#), 63 Stat. 515; [Aug. 3, 1950, ch. 536, §5](#), 64 Stat. 406, related to retirement for failure in physical examination for promotion.

Section 235, act [Aug. 4, 1949, ch. 393](#), 63 Stat. 515, related to designation and assembly of a personnel board, its procedure and its recommendations.

Section 236, act [Aug. 4, 1949, ch. 393](#), 63 Stat. 516, related to involuntary retirement after 30 years' service.

Section 237, act [Aug. 4, 1949, ch. 393](#), 63 Stat. 516, related to involuntary retirement after 10 years' service.

Section 238, act [Aug. 4, 1949, ch. 393](#), 63 Stat. 516, related to voluntary retirement when out of line of promotion.

Section 239, acts [Aug. 4, 1949, ch. 393](#), 63 Stat. 516; [Aug. 3, 1950, ch. 536, §6](#), 64 Stat. 406, authorized advancement to a higher grade upon retirement in case of special commendation. Section had previously been repealed by [Pub. L. 86–155, §10\(a\)\(1\), \(b\), Aug. 11, 1959](#), 73 Stat. 338, effective Nov. 1, 1959.

Section 240, acts [Aug. 4, 1949, ch. 393](#), 63 Stat. 517; [Aug. 3, 1950, ch. 536, §7](#), 64 Stat. 407, authorized recall of retired officers in time of war or national emergency.

Section 241, acts [Aug. 4, 1949, ch. 393](#), 63 Stat. 517; [Aug. 3, 1950, ch. 536, §8](#), 64 Stat. 407, related to recall to active duty with the consent of the officer.

Section 242, acts [Aug. 4, 1949, ch. 393](#), 63 Stat. 517; [Aug. 3, 1950, ch. 536, §9](#), 64 Stat. 407, related to relief of retired officers promoted while on active duty.

Section 243, acts [Aug. 4, 1949, ch. 393](#), 63 Stat. 517; [Aug. 3, 1950, ch. 536, §10](#), 64 Stat. 407; [Aug. 14, 1957, Pub. L. 85–144, §1](#), 71 Stat. 366, related to retirement in cases where a higher grade has been held.

Section 244, act [Aug. 4, 1949, ch. 393](#), 63 Stat. 517, related to resignation when out of line of promotion.

Section 245, act [Aug. 4, 1949, ch. 393](#), 63 Stat. 517, related to retiring or dropping for disabilities not incident to service. See section 1207 of Title 10, Armed Forces. Section had previously been repealed by act [Aug. 3, 1950, ch. 536, §36](#), 64 Stat. 408.

Section 246, act [Aug. 4, 1949, ch. 393](#), 63 Stat. 518, related to dropping for disabilities due to vicious habits. See section 1207 of Title 10. Section had previously been repealed by act [Aug. 3, 1950, ch. 536, §36](#), 64 Stat. 408.

Section 247, added act [Aug. 9, 1955, ch. 684, §1\(2\)](#), 69 Stat. 620; amended May 14, 1960, Pub. L. 86-474, [§1\(17\)](#), 74 Stat. 146, related to involuntary retirement of rear admirals and to their retention on active list.

Section 248, added act [Aug. 9, 1955, ch. 684, §1\(2\)](#), 69 Stat. 620, related to involuntary retirement of captains and to their retention on active list.

A prior section 277, added Pub. L. 88-130, [§1\(10\)\(C\), Sept. 24, 1963](#), 77 Stat. 183, provided that warrant officers could be temporarily promoted to higher warrant officer grades under regulations prescribed by Secretary, prior to repeal by Pub. L. 104-324, [title II, §210\(a\), Oct. 19, 1996](#), 110 Stat. 3915, with such repeal not to be construed to affect the status of any warrant officer then serving under a temporary promotion.

A prior section 293, added Pub. L. 88-130, [§1\(10\)\(C\), Sept. 24, 1963](#), 77 Stat. 187; amended Pub. L. 99-348, [title II, §205\(b\)\(5\), July 1, 1986](#), 100 Stat. 700, mandated retirement of any regular commissioned officer, except a commissioned warrant officer, at age 62, prior to repeal by Pub. L. 111-281, [title II, §215\(a\), Oct. 15, 2010](#), 124 Stat. 2916.

## **AMENDMENTS**

**2018**—Pub. L. 115-282 renumbered section 5 of this title as this section.

## **STATUTORY NOTES AND RELATED SUBSIDIARIES**

### **DEFINITIONS**

Pub. L. 117-263, [div. K, §11002, Dec. 23, 2022](#), 136 Stat. 4003, provided that: "In this division [div. K (§§11001-11808) of Pub. L. 117-263, see Tables for classification]:

"(1) **COMMANDANT**.—The term 'Commandant' means the Commandant of the Coast Guard.

"(2) **SECRETARY**.—Except as otherwise provided, the term 'Secretary' means the Secretary of the department in which the Coast Guard is operating."

Pub. L. 116-283, [div. G, §8002, Jan. 1, 2021](#), 134 Stat. 4633, provided that: "In this division [div. G (§§8001-8605) of Pub. L. 116-283, see Tables for classification], the term 'Commandant' means the Commandant of the Coast Guard."



**The American Legion Department of Arkansas**

**Department Executive Committee**

**Held on**

**June 19-22, 2025**

**Resolution**

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**Title:** Oratorical Speech Contest Modification

**SUBMITTED TO:** Americanism Committee

**SUBMITTED:** By Department of Arkansas

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

WHEREAS, The American Legion fulfills its dedication to the community, state and nation through its programs based on "The Four Pillars" and,

WHEREAS, One of The Four Pillars of the American Legion is Americanism and,

WHEREAS, The Americanism Pillar has an Oratorical Contest also known as A Constitutional Speech Contest and,

WHEREAS, The contest was developed for high school students primarily to instill a better knowledge and appreciation of the Constitution of the United States of America and,

WHEREAS, The American Legion believes the children and youth of the United States of America would be better prepared for acceptance of the duties, rights and privileges of American citizenship by learning about the Constitution of the United States of America through the Constitutional Speech Contest and,

WHEREAS, The requirements of the speech contest includes a memorized eight(8) to ten(10) minute prepared speech based on the constitution of the United States of America and four assigned three(3) to five(5) minute speeches based on amendments to the Constitution resulting in the research and memorization of five speeches and,

WHEREAS, The number of students participating in the Constitutional Speech Contest has decreased dramatically over the years and continues to decrease nationwide; now, therefore, be it

**RESOLVED, By The American Legion August 28,2025, That the American Legion Constitutional Speech Contest requirements be amended to delete the four assigned three(3) to five(5) minute speeches and retain the eight(8) to ten(10) minute prepared speech**

This is to certify that the resolution above was adopted by the Department of Arkansas convention on June 22, 2025 in North Little Rock, Arkansas

Attested by:

Robert Renner, Adjutant

## Supporting Document for Modification of Constitutional Speech Contest

Submitted by Department of Arkansas, 2025

Experts say, “Teaching government, civics and history is becoming a more pressing need than ever before. With school cutbacks, the internet distracting students, and the disappearance of traditional newspapers and TV news shows that objectively report information, youngsters have become increasingly disengaged from civic and political life”

Retired Justice Sandra Day O’Connor says, “Because an understanding and appreciation for democracy is **not** an inherited trait that is passed along in the gene pool, it has to be taught anew to each generation”

Furthermore, American Bar Association (ABA) president Stephen Zack says, “Our country’s future is now being threatened by a basic lack of understanding among Americans about what a democracy is and how it’s supposed to work”. He also says, “The sad fact is this is a pervasive problem that starts in schools and permeates our entire society.” “We all need to do our part to ensure the words of the Constitution are not just words,’ Zack says.

Students can develop an understanding and appreciation for democracy by becoming familiar with the Constitution.

American Legion’s High School “Constitutional Speech Contest” also known as “Oratorical Contest,” is an activity for high school students, which was designed to develop a deeper knowledge and understanding of the Constitution of the United States of America. Other objectives are leadership, the ability to think clearly and intelligently, and the preparation for acceptance of the duties and responsibilities, the rights and privileges of American citizenship.

The American Legion has been involved in helping generations of high school students become familiar with the Constitution of the United States of America through its Constitutional Speech Contest.



However, since 1934 when the Oratorical Contest was introduced, extra-curricular activities have become an important factor in the admission process to institutions of higher learning. These activities such as; Arts, Clubs, Media, Military (ROTC), Church Activities, Community Activities, Sports and Volunteer Work & Community Service and a report from A National Longitudinal Study of Adolescent Health revealed that 70% of adolescents are involved in some form of extracurricular activities. Participating in these activities is very time consuming.

As previously stated, the importance for students to learn about government, and the constitution is vitally important and we all need to do our part. The American Legion Constitutional Speech Contest is an excellent way for students to learn about the constitution. However, due to the amount of time devoted to extra-curricular activities, students are apparently unable or unwilling to devote the extensive period of time needed to research and prepare for five memorized speeches currently required by the Constitutional Speech Contest.

Unfortunately there has been a decline in the number of students who are participating in the Constitutional Speech Contest. Since there is no requirement for posts to submit reports to their Departments or National Headquarters, the exact number of students who are participating in, or who have participated in the contest in past years, is unknown. However, by contacting Department Adjutants, Constitutional Speech Contest Chairpersons, Commanders, and National Executive Committeemen, without fail, the responses indicate that the number of students participating in the contest continues to decrease year after year.

To fulfill the obligation to promote Americanism, the American Legion needs to increase the number of students who become exposed to the Constitution of the United States by doing whatever is necessary to attract students to participate in the Constitutional Speech Contest.

One way to increase the number of contestants in the Constitutional Speech Contest is to limit the requirements to one primary memorized speech based on the constitution instead of necessitating research and memorization of four additional

amendment speeches. The Resolution to modify the contest requirements would do just that.

#### *REFERENCES*

*Thomas D. Snyder, editor. National Center for Educational Statistics. US Department of Education Research and Improvement. , January 1993*

*Article “Flunking Civics: Why America’s Kids Know So Little “ ABA Journal. American Bar Association. Copyright 2017*

**American Legion Department of Arkansas**  
**Department Convention**  
**Held on June 20 - 22, 2025**

**Resolution**

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**No.: 25-003**

**Title: American Legion Department of Arkansas Adjutant Position**

**Origin: Criswell-Robinson Post 71**

WHEREAS, the current Department Constitution, Article VI, Department Officers, Section 5 requires that the Department Adjutant shall hold the office until either removed for cause by a two-thirds vote of the Department Executive Committee or resigns,

WHEREAS, the Department Constitution does not establish that an Adjutant be required to work under a contract or that a contract have a renewal clause,

WHEREAS, management employees in key positions should have contracts to clearly outline job duties, compensation, benefits, and termination procedures, providing legal protection and reducing potential misunderstandings or disputes,

WHEREAS, an employment contract protects the employee's job security, income, leave entitlements, and other basic rights and protects the employers from certain risks, such as breaches of confidentiality or underperforming employees,

WHEREAS, the Department Constitution does not address the issue of who supervisors the Adjutant or accomplishes an annual job performance report for the Department Executive Committee,

WHEREAS, contract employees should have their performance evaluated, and this evaluation is crucial for ensuring continual satisfactory and successful performance and maintaining a productive relationship between the Department and the Adjutant,

**THEREFORE, BE IT RESOLVED, at The American Legion Department of Arkansas Department Convention in North Little Rock, AR, June 22, 2025, the following change to Department of Arkansas Constitution Article VI – Duties of Officers, Section 5 be made as follows,**

**Section 5. The Department Executive Committee at its first meeting following the adoption of this Section shall elect a Department Adjutant upon the recommendation of the Department Commander. The elected Adjutant will be under the direct supervision of the Department Commander. Such Department Adjutant shall be required to sign an annual contract. Said contract shall comply to all applicable Arkansas Labor Law requirements and be reviewed and approved by an attorney. The content and presentation of the contract shall be under the control of the Department Executive Committee, approved by a two-thirds vote of the committee and presented to the Adjutant by the Department Commander. The Adjutant shall be evaluated annually to the Adjutant's job description in the Personnel Manual. The annual evaluation shall be performed separately by the current Commander, Membership Committee Chairman and the Finance Officer. Results of the evaluation shall be tabulated or summarized by the Commander and the summarization presented to the Department Executive Committee at their next meeting. Failure of an Adjutant to fulfill the job description may, at the discretion and majority vote of the Department Executive Committee, be justification for not renewing the contract or dismissal of the Adjutant. An Adjutant who does not have a contract renewed shall have**

**American Legion Department of Arkansas**  
**Department Convention**  
**Held on June 20 - 22, 2025**

**Resolution**

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**No.: 25-003**

**Title: American Legion Department of Arkansas Adjutant Position**

**Origin: Criswell-Robinson Post 71**

**the right to appeal the decision before the Department Executive Committee who shall approve or deny the appeal with a majority vote. Between conventions the Adjutant shall hold office until removed for cause by a majority vote of the Department Executive Committee. Any vacancy occurring in the office of Department Adjutant shall be filled in like manner. The Department Adjutant shall give adequate bond, which shall be approved by the Department Executive Committee.**

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This is to certify that this resolution was adopted by our Post but with Department action substituted for local resolving clause.

*Charles W. Post* Post 71 Commander

Post 71 Adjutant *Charles W. Post*

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**BELOW THIS LINE FOR DEPARTMENT RESOLUTION COMMITTEE USE ONLY**

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Approved      Approved, with Amendment      Rejected      Received and Recorded      Consolidated with

Referring to Standing Commission or Committee on

Other Action

Signature of Chairman or Secretary