

purchase, gift, grant, devise, and bequest, and to hold, mortgage, lease, transfer, and convey” for consistency in the revised title and to eliminate unnecessary words. The words “real and personal” are omitted as unnecessary. The words “to carry out the purpose of the corporation” are substituted for “for the purposes of the said corporation” and “as may be deemed necessary for the wants or development of the corporation or any of them” for consistency in the revised title and to eliminate unnecessary words.

**§ 21505. Charges for medical services**

The corporation may charge a reasonable compensation for providing medical and surgical services or may provide those services without charge. Amounts received under this section shall be used to carry out the purposes of the corporation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1296.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
21505 .....	36:4903 (“gratuitously or otherwise” and words after 8th comma).	Jan. 30, 1913, ch. 21, §3 (“gratuitously or otherwise” and words after 8th comma), 37 Stat. 654.

The words “may charge” are substituted for “it shall be lawful for the said corporation to demand and receive” to eliminate unnecessary words. The words “medical and surgical services” are substituted for “such care, sustenance, professional treatment, and other services” to eliminate unnecessary words. The words “to carry out the purposes of the corporation” are substituted for “be applied to the uses and benefits of the said corporation” for consistency.

**§ 21506. Principal office**

The principal office of the corporation shall be in the District of Columbia. However, offices may be maintained and meetings of the board of governors and committees may be held elsewhere.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1296.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
21506 .....	36:4904 (last sentence).	Jan. 30, 1913, ch. 21, §4 (last sentence), 37 Stat. 655.

**§ 21507. Nonapplication of audit requirements**

The audit requirements of section 10101 of this title do not apply to the corporation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1296.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
21507 .....	(no source).	

The section is added to except the American Hospital of Paris from the application of section 10101 of the revised title, restating 36:1101-1103, which imposes audit requirements on certain federally chartered corporations. The Hospital is not included in the list of corporations set out in 36:1101 to which the audit requirements apply.

**CHAPTER 217—THE AMERICAN LEGION**

Sec.	
21701.	Organization.
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21704.	Powers.
21705.	Exclusive right to name, emblems, and badges.
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**§ 21701. Organization**

(a) FEDERAL CHARTER.—The American Legion (in this chapter, the “corporation”) is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1297.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
21701(a) .....	36:41.	Sept. 16, 1919, ch. 59, §§1, 2, 41 Stat. 284.
21701(b) .....	36:42. 36:44 (words before 4th semicolon related to perpetual succession).	Sept. 16, 1919, ch. 59, §4 (words before 4th semicolon related to perpetual succession), 41 Stat. 285; June 26, 1953, ch. 153, §1, 67 Stat. 82.

This section is substituted for the source provisions for consistency in the revised title and to eliminate unnecessary and obsolete language.

**§ 21702. Purposes**

The purposes of the corporation are—

- (1) to uphold and defend the Constitution of the United States;
- (2) to promote peace and good will among the peoples of the United States and all the nations of the Earth;
- (3) to preserve the memories and incidents of the 2 World Wars and the other great hostilities fought to uphold democracy;
- (4) to cement the ties and comradeship born of service; and
- (5) to consecrate the efforts of its members to mutual helpfulness and service to their country.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1297.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
21702 .....	36:43.	Sept. 16, 1919, ch. 59, §3, 41 Stat. 285; Oct. 29, 1942, ch. 633, §1, 56 Stat. 1012; July 26, 1955, ch. 386, §1, 69 Stat. 379; Sept. 1, 1966, Pub. L. 89-550, §1, 80 Stat. 371.

In clause (1), the words “of America” are omitted.

**§ 21703. Membership**

An individual is eligible for membership in the corporation only if the individual—

- (1) has served in the Armed Forces of—
  - (A) the United States at any time during any period from—

- (i) April 6, 1917, through November 11, 1918;
- (ii) December 7, 1941, through December 31, 1946;
- (iii) June 25, 1950, through January 31, 1955;
- (iv) February 28, 1961, through May 7, 1975;
- (v) August 24, 1982, through July 31, 1984;
- (vi) December 20, 1989, through January 31, 1990; or
- (vii) August 2, 1990, through the date of cessation of hostilities, as decided by the United States Government; or

(B) a government associated with the United States during a period referred to in subclause (A) of this clause and was a citizen of the United States when the individual entered that service; and

(2) was honorably discharged or separated from that service or continues to serve honorably during or after that period.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1297; Pub. L. 105-354, §1(6), Nov. 3, 1998, 112 Stat. 3244; Pub. L. 107-309, §1, Dec. 2, 2002, 116 Stat. 2449.)

HISTORICAL AND REVISION NOTES  
PUB. L. 105-225

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
21703 .....	36:45.	Sept. 16, 1919, ch. 59, §5, 41 Stat. 285; Oct. 29, 1942, ch. 633, §2, 56 Stat. 1012; July 9, 1946, ch. 546, 60 Stat. 524; Dec. 28, 1950, ch. 1177, 64 Stat. 1122; July 26, 1955, ch. 386, §2, 69 Stat. 380; Sept. 1, 1966, Pub. L. 89-550, §2, 80 Stat. 372; Dec. 27, 1974, Pub. L. 93-557, 88 Stat. 1792; Aug. 17, 1978, Pub. L. 95-346, 92 Stat. 485; Dec. 21, 1979, Pub. L. 96-155, 93 Stat. 1165; Oct. 30, 1990, Pub. L. 101-478, 104 Stat. 1157; Dec. 2, 1991, Pub. L. 102-179, 105 Stat. 1229.

In clause (1), the words “armed forces” are substituted for “naval or military services” and “military or naval service” for clarity. In subclause (A), the word “through” is substituted for “all dates inclusive” for clarity. In subclause (B), the words “a government associated with the United States during a period referred to in subclause (A) of this clause and was a citizen of the United States when the individual entered that service” are substituted for “who, being a citizen of the United States at the time of entry therein . . . of any governments associated with the United States during said wars or hostilities” for clarity.

In clause (2), the words “after that period” are substituted for “after any of the aforesaid terminal dates” to eliminate unnecessary words.

PUB. L. 105-354

This amends section 21703(1)(A)(iv) of title 36 to reflect changes made by Public Law 105-110 (Nov. 20, 1997, 111 Stat. 2270).

AMENDMENTS

2002—Par. (2). Pub. L. 107-309 inserted “during or” after “continues to serve honorably”.

1998—Par. (1)(A)(iv). Pub. L. 105-354 substituted “February 28, 1961” for “December 22, 1961”.

§ 21704. Powers

The corporation may—

- (1) adopt a constitution, bylaws, and regulations to carry out the purposes of the corporation;
- (2) adopt and alter a corporate seal;
- (3) establish and maintain offices to conduct its activities;
- (4) establish State and territorial organizations and local chapter or post organizations;
- (5) provide guidance and leadership to organizations and local chapters established under paragraph (4), but may not control or otherwise influence the specific activities and conduct of such organizations and local chapters;
- (6) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation;
- (7) publish a magazine and other publications;
- (8) sue and be sued; and
- (9) do any other act necessary and proper to carry out the purposes of the corporation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1297; Pub. L. 112-66, §1, Dec. 13, 2011, 125 Stat. 768.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
21704 .....	36:44 (words before 4th semicolon less perpetual succession, words after 5th semicolon).  36:47.	Sept. 16, 1919, ch. 59, §4 (words before 4th semicolon less perpetual succession, words after 5th semicolon), 41 Stat. 285; June 26, 1953, ch. 153, §1, 67 Stat. 82. Sept. 16, 1919, ch. 59, §7, 41 Stat. 285.

In this section, the text of 36:47 is omitted as executed and obsolete.

In clause (1), the words “not inconsistent with the laws of the United States or of any State” are omitted as unnecessary.

In clause (2), the words “at pleasure” are omitted as unnecessary.

In clause (3), the word “activities” is substituted for “business” for consistency in the revised title.

Clause (5) is substituted for “to receive, hold, own, use, and dispose of such real estate and personal property as shall be necessary for its corporate purposes” for consistency in the revised title and to eliminate unnecessary words.

In clause (7), the words “in courts of law and equity” are omitted as unnecessary.

In clause (8), the words “do any other act” are substituted for “generally to do any and all such acts and things” for consistency in the revised title and to eliminate unnecessary words.

AMENDMENTS

2011—Pars. (5) to (9). Pub. L. 112-66 added par. (5) and redesignated former pars. (5) to (8) as (6) to (9), respectively.

§ 21705. Exclusive right to name, emblems, and badges

The corporation and its State and local subdivisions have the exclusive right to use the name “The American Legion” or “American Legion”. The corporation has the exclusive right to use, manufacture, and control the right to manufacture, emblems and badges the corporation adopts.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1298.)