

**CHAPTER 217—THE AMERICAN LEGION**

- Sec. 21701. Organization.
- 21702. Purposes.
- 21703. Membership.
- 21704. Powers.
- 21704A. Nondiscrimination.
- 21705. Exclusive right to name, emblems, and badges.
- 21706. Political activities.
- 21707. Service of process.
- 21708. Annual report.

AMENDMENTS

2019—Pub. L. 116-35, §4(b), July 30, 2019, 133 Stat. 1047, added item 21704A.

**§ 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—
    - (i) the period from April 6, 1917, through November 11, 1918; or
    - (ii) any time after December 7, 1941; or
  - (B) a government associated with the United States during a period or time 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 or time.

(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; Pub. L. 116-35, §3, July 30, 2019, 133 Stat. 1046.)

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. 26, 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

2019—Par. (1)(A). Pub. L. 116-35, §3(1)(A), substituted “during—” for “during any period from—” in introductory provisions, added cls. (i) and (ii), and struck out former cls. (i) to (vii) which set out specific time periods one had to serve in the United States Armed Forces in order to be eligible for membership in the corporation.

Par. (1)(B). Pub. L. 116-35, §3(1)(B), inserted “or time” after “a period”.

Par. (2). Pub. L. 116-35, §3(2), inserted “or time” after “that period”.

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”.