

## HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
21502 .....	36:4903 (words before 8th comma less “gratuitously or otherwise”).	Jan. 30, 1913, ch. 21, § 3 (words before 8th comma less “gratuitously or otherwise”), 37 Stat. 654.

The word “maintain” is substituted for “establish, maintain, and conduct” to eliminate executed and unnecessary words. The word “aid” is omitted as included in “care”.

**§ 21503. Governing body**

(a) GENERAL.—(1) The board of governors is the governing body of the corporation.

(2) The board shall have at least 12 governors, divided into 3 classes of equal numbers. One class of governors shall be elected each year for a term of 3 years or until their successors are elected. The corporation shall elect the governors at its annual meeting.

(b) QUORUM.—Five governors are a quorum for the transaction of business, except that a majority vote of the board is required for—

(1) the sale or alienation of any real or personal estate of the corporation; or

(2) the leasing of real estate of the corporation for a term of more than one year.

(c) POWERS.—The board may—

(1) adopt and amend bylaws, as may be necessary and proper, related to—

(A) elections and meetings;

(B) qualifications and duties of governors and officers;

(C) admission and qualifications of members; and

(D) management and disposition of the property, business, and concerns of the corporation;

(2) conduct all business of the corporation;

(3) fill, until the next annual election, a vacancy on the board; and

(4) appoint attending and resident physicians and surgeons, agents, assistants, and attendants as may be necessary, set their compensation, and discharge them.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1295.)

## HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
21503(a) .....	36:4904 (1st sentence).	Jan. 30, 1913, ch. 21, §§ 4 (1st sentence), 6, 37 Stat. 655; Apr. 12, 1974, Pub. L. 93–266, 88 Stat. 85.
	36:4905.	Jan. 30, 1913, ch. 21, §§ 5, 7, 8, 37 Stat. 655.
	36:4906.	
21503(b) .....	36:4908.	
21503(c) .....	36:4907.	

Subsection (a) is substituted for the source provisions for consistency in the revised title and to eliminate unnecessary and obsolete language.

In subsection (c)(1), before clause (A), the words “and not contrary to law” are omitted as unnecessary.

In subsection (c)(2), the words “and manage” and “and concerns” are omitted as unnecessary.

In subsection (c)(3), the words “occasioned by death, resignation, or otherwise” are omitted as unnecessary.

**§ 21504. Acquisition and management of property**

The corporation may acquire, own, lease, encumber, and transfer property, in the United

States and France, 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)
21504 .....	36:4902.	Jan. 30, 1913, ch. 21, § 2, 37 Stat. 654; June 14, 1929, ch. 23, 46 Stat. 11; Oct. 1, 1965, Pub. L. 89–231, § 1, 79 Stat. 901.

The words “may acquire, own, lease, encumber, and transfer” are substituted for “is authorized to take by 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.
- 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.

Editorial Notes

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. 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).