

UNITED STATES CODE ANNOTATED
TITLE 36 CHAPTER 21701-21708
THE AMERICAN LEGION
Created by Act of Congress
Washington, DC on September 16, 1919

§ 21701. Organization

(a) Federal charter.--The American Legion (in this chapter [36 U.S.C.A. § 21701 et seq.], the "corporation") is a federally chartered corporation.

(b) Perpetual existence.--Except as otherwise provided, the corporation has perpetual existence.

§ 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.

§ 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.

§ 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;¹**
- (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.

¹ Added December 13, 2011

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.

§ 21706. Political activities

The corporation shall be nonpolitical and may not promote the candidacy of an individual seeking public office.

§ 21707. Service of process

As a condition to the exercise of any power or privilege granted by this chapter [36 U.S.C.A. § 21701 et seq.], the corporation shall file, with the secretary of state or other designated official of each State, the name and address of an agent in that State on whom legal process or demands against the corporation may be served.

§ 21708. Annual report

Not later than January 1 of each year, the corporation shall submit a report to Congress on the activities of the corporation during the prior calendar year. The report may not be printed as a public document.