(10) to perpetuate and preserve the friendships and comradeship born on the battle front and nurtured in the common experience of service to our Nation during time of war; and

(11) to honor the memory of those men and women who gave their lives that a free America and a free world might live by the creation of living memorials in the form of additional educational, cultural, and recreational facilities.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1306.)

HISTORICAL AND REVISION NOTES

| *Revised Section* | *Source (U.S. Code)* | *Source (Statutes at Large)* |
|---|---|---|
| 22702 ..... | 36:67b(1), (3)–(10). | July 23, 1947, ch. 298, §3(1), (3)–(10), 61 Stat. 405. |
| | 36:67b(2). | July 23, 1947, ch. 298, §3(2), 61 Stat. 405; Aug. 15, 1977, Pub. L. 95–98, §1(b)(1), 91 Stat. 830; June 13, 1991, Pub. L. 102–54, §13(n)(1), 105 Stat. 278. |

## § 22703. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws of the corporation.

(b) VOTING.—Each member has one vote in the conduct of official business at the post level.

(c) NONDISCRIMINATION.—The terms of membership may not discriminate on the basis of race, color, religion, sex, or national origin.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1307.)

HISTORICAL AND REVISION NOTES

| *Revised Section* | *Source (U.S. Code)* | *Source (Statutes at Large)* |
|---|---|---|
| 22703(a) ..... | 36:67e (words before 3d comma). | July 23, 1947, ch. 298, §6 (words before 3d comma, words after 3d comma related to discrimination in membership), 61 Stat. 407; Dec. 28, 1950, ch. 1178, 64 Stat. 1122; July 26, 1955, ch. 383, 69 Stat. 375; Sept. 14, 1966, Pub. L. 89–576, 80 Stat. 772; Aug. 15, 1977, Pub. L. 95–98, §1(b)(2), 91 Stat. 830; May 31, 1984, Pub. L. 98–304, 98 Stat. 220. |
| 22703(b) ..... | 36:67f(1) (1st sentence). | July 23, 1947, ch. 298, §7(1) (1st sentence), 61 Stat. 407. |
| 22703(c) ..... | 36:67e (words after 3d comma related to discrimination in membership). | |

In subsection (b), the words ''the right to'' are omitted as unnecessary.

## § 22704. Governing body

(a) DELEGATES TO NATIONAL CONVENTIONS.—Each post may elect delegates to national conventions of the corporation. The delegates each have one vote in the conduct of business of the convention to which they are elected.

(b) EXECUTIVE COMMITTEE.—The executive committee of the corporation consists of—

(1) one member elected to represent each department; and

(2) the officers of the corporation as ex officio members.

(c) OFFICERS.—(1) The officers of the corporation are a national commander, two national vice commanders, a finance officer, a judge advocate, a chaplain, six national district commanders, and a provost marshal.

(2) The officers shall be elected by the delegates at the annual national convention.

(d) NONDISCRIMINATION.—The requirements for holding office in the corporation may not discriminate on the basis of race, color, religion, sex, or national origin.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1307; Pub. L. 107–241, §1(b), Oct. 16, 2002, 116 Stat. 1496.)

HISTORICAL AND REVISION NOTES

| *Revised Section* | *Source (U.S. Code)* | *Source (Statutes at Large)* |
|---|---|---|
| 22704(a) ..... | 36:67f(1) (last sentence). | July 23, 1947, ch. 298, §§5(3), 7(1) (last sentence), (2), 13, 61 Stat. 406, 407, 408. |
| 22704(b) ..... | 36:67d(3). | |
| | 36:67f(2). | |
| 22704(c) ..... | 36:67*l*. | |
| 22704(d) ..... | 36:67e (words after 3d comma related to discrimination in holding office). | July 23, 1947, ch. 298, §6 (words after 3d comma related to discrimination in holding office), 61 Stat. 407; Dec. 28, 1950, ch. 1178, 64 Stat. 1122; July 26, 1955, ch. 383, 69 Stat. 375; Sept. 14, 1966, Pub. L. 89–576, 80 Stat. 772; Aug. 15, 1977, Pub. L. 95–98, §1(b)(2), 91 Stat. 830; May 31, 1984, Pub. L. 98–304, 98 Stat. 220. |

In subsection (b), the text of 36:67d(3) is omitted as obsolete.

In subsection (c), the words ''each official delegate casting one vote'' are omitted as unnecessary because of subsection (a) of this section.

AMENDMENTS

2002—Subsec. (c)(1). Pub. L. 107–241 substituted ''two national vice commanders, a finance officer, a judge advocate, a chaplain, six national district commanders,'' for ''seven national vice commanders, one of whom shall be a woman, a finance officer, an adjutant, a judge advocate,''.

## § 22705. Powers

(a) GENERAL.—The corporation may—

(1) adopt bylaws and regulations for the management of its property and the regulation of its affairs;

(2) adopt seals, emblems, and badges;

(3) choose officers, representatives, and agents as necessary to carry out the purposes of the corporation;

(4) make contracts;

(5) establish State and regional organizations and local posts;

(6) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation;

(7) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(8) publish a magazine, newspaper, and other publications consistent with the purposes of the corporation;

(9) sue and be sued; and

(10) do any other act necessary and proper to carry out the purposes of the corporation.

(b) POWERS GRANTED TO OTHER ORGANIZATIONS.—The provisions, privileges, and prerogatives granted before July 24, 1947, to other national veterans' organizations because of their

incorporation by Congress are granted to the corporation.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1307.)

HISTORICAL AND REVISION NOTES

| *Revised Section* | *Source (U.S. Code)* | *Source (Statutes at Large)* |
|---|---|---|
| 22705(a) ..... | 36:67c (less perpetual succession). | July 23, 1947, ch. 298, §§4 (less perpetual succession), 8, 10(2)–(5), 61 Stat. 406, 407. |
| | 36:67g. | |
| | 36:67i(2)–(5). | |
| 22705(b) ..... | 36:67r. | July 23, 1947, ch. 298, §19, 61 Stat. 408; Aug. 15, 1977, Pub. L. 95–98, §1(a), 91 Stat. 830. |

In this section, the text of 36:67g is omitted as executed and obsolete.

In subsection (a)(1), the word ''adopt'' is substituted for ''ordain and establish'' for clarity and consistency in the revised title. The words ''not inconsistent with the laws of the United States of America or any State thereof'' are omitted as unnecessary.

In subsection (a)(2), the words ''adopt seals, emblems, and badges'' are substituted for ''to use in carrying out its purposes such seals, emblems, and badges as it may lawfully adopt'' for consistency in the revised title and to eliminate unnecessary words.

In subsection (a)(4), the words ''make contracts'' are substituted for ''contract and be contracted with'' for consistency in the revised title and to eliminate unnecessary words.

Subsection (a)(6) is substituted for ''take and hold by lease, gift, purchase, grant, devise, or bequest any property, real or personal, necessary for attaining the objects and carrying into effect the purposes of the corporation'' in 36:67c and ''Transfer and convey all real or personal property'' in 36:67i(4) for consistency in the revised title and to eliminate unnecessary words. The words ''subject, however, to applicable provisions of law of any State (A) governing the amount or kind of real and personal property which may be held by, or (B) otherwise limiting or controlling the ownership of real and personal property by, a corporation operating in such State'' in 36:67c are omitted as unnecessary.

In subsection (a)(7), the words ''instruments of indebtedness'' are substituted for ''bonds'' for consistency in the revised title. The words ''secure its obligations by granting security interests in its property'' are substituted for ''secure same by mortgage'' for consistency in the revised title. The words ''for the purposes of the corporation'', ''therefor'', and ''subject in every case to all applicable provisions of Federal or State laws'' are omitted as unnecessary.

In subsection (b), the words ''before July 24, 1947'' are substituted for ''heretofore'' for clarity. The words ''and accrue'' are omitted as unnecessary.

## § 22706. Exclusive right to name, seals, emblems, and badges

The corporation and its State, regional, and local subdivisions have the exclusive right to use the name ''AMVETS (American Veterans)'' and seals, emblems, and badges the corporation adopts.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1308; Pub. L. 107–241, §1(a)(1), Oct. 16, 2002, 116 Stat. 1496.)

HISTORICAL AND REVISION NOTES

| *Revised Section* | *Source (U.S. Code)* | *Source (Statutes at Large)* |
|---|---|---|
| 22706 ..... | 36:67p. | July 23, 1947, ch. 298, §17, 61 Stat. 408; Aug. 15, 1977, Pub. L. 95–98, §1(a), 91 Stat. 830. |

The words ''sole and'' and ''have and'' are omitted as unnecessary. The word ''adopts'' is substituted for ''may lawfully adopt'' to eliminate unnecessary words.

AMENDMENTS

2002—Pub. L. 107–241 substituted ''AMVETS (American Veterans)'' for ''AMVETS (American Veterans of World War II, Korea, and Vietnam)''.

## § 22707. Restrictions

(a) PROFIT.—The corporation shall operate as a not-for-profit corporation, exclusively for charitable, educational, patriotic, and civic improvement purposes.

(b) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(c) POLITICAL ACTIVITIES.—The corporation or an officer of the corporation or member of its executive committee as such may not contribute to, support, or assist a political party or candidate for elective public office. The corporation may not carry on propaganda.

(d) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member of the corporation, except on dissolution or final liquidation of the corporation.

(e) LOANS.—The corporation may not make a loan or advance to a director or officer. Directors who vote for or assent to making a loan or advance to a director or officer, and officers who participate in making the loan or advance, are jointly and severally liable to the corporation for the amount of the loan or advance until it is repaid.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1308.)

HISTORICAL AND REVISION NOTES

| *Revised Section* | *Source (U.S. Code)* | *Source (Statutes at Large)* |
|---|---|---|
| 22707(a) ..... | 36:67b(11) (1st–8th words and words after semicolon). | July 23, 1947, ch. 298, §§3(11), 5(1), (2), 15, 16, 61 Stat. 405, 406, 408. |
| 22707(b) ..... | 36:67n. | |
| 22707(c) ..... | 36:67d(1), (2). | |
| 22707(d) ..... | 36:67b(11) (9th word through semicolon). | |
| 22707(e) ..... | 36:67*o*. | |

In subsection (b), the words ''shares of'' are omitted as unnecessary.

In subsection (e), the words ''or advance'' are added in 2 places for consistency in the subsection.

## § 22708. Headquarters and principal place of business

The headquarters and principal place of business of the corporation shall be in Maryland. However, the activities of the corporation are not confined to Maryland but may be conducted throughout the States, territories, and possessions of the United States.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1308; Pub. L. 107–241, §1(c), Oct. 16, 2002, 116 Stat. 1496.)

HISTORICAL AND REVISION NOTES

| *Revised Section* | *Source (U.S. Code)* | *Source (Statutes at Large)* |
|---|---|---|
| 22708 ..... | 36:67d(4). | July 23, 1947, ch. 298, §5(4), 61 Stat. 406. |