

and all lawful acts necessary or appropriate to carry out the purposes for which the corporation is created.

(Aug. 4, 1937, ch. 564, §3, 50 Stat. 559.)

#### § 58. Annual report

The corporation shall, on or before the 1st day of December in each year, transmit to Congress a report of its proceedings and activities for the preceding calendar year. Such reports shall not be printed as public documents.

(Aug. 4, 1937, ch. 564, §4, 50 Stat. 559; Aug. 30, 1964, Pub. L. 88-504, §4(5), 78 Stat. 636.)

#### AMENDMENTS

1964—Pub. L. 88-504 struck out “, including the full and complete statement of its receipts and expenditures” after “calendar year”.

#### § 59. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter at any time is expressly reserved.

(Aug. 4, 1937, ch. 564, §5, 50 Stat. 559.)

### CHAPTER 4—BELLEAU WOOD MEMORIAL ASSOCIATION

Sec.

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| 61. | Corporation created.                                           |
| 62. | Purposes of corporation.                                       |
| 63. | Powers of corporation.                                         |
| 64. | Acquisition of assets and liabilities of existing corporation. |
| 65. | Annual report.                                                 |
| 66. | Reservation of right to amend or repeal chapter.               |

#### § 61. Corporation created

Ira E. Bennett, Tasker H. Bliss, Nathalie Boynton, Marie Moore Forrest, Elizabeth Van Rensselaer Frazer, James E. Freeman, Margaret Overman Gregory, Harry V. Haynes, John A. LeJeune, A. L. McClellan, Wendell C. Neville, Frank B. Noyes, John Barton Payne, Augusta Reath, Alice Hay Wadsworth, John Walsh, and their associates and successors, are created a body corporate by the name of “Belleau Wood Memorial Association.”

(Mar. 3, 1923, ch. 228, §1, 42 Stat. 1441.)

#### § 62. Purposes of corporation

The purposes of the corporation shall be: (a) To acquire and maintain the whole or any portion of Belleau Wood, Department of Aisne, France, for memorial purposes; (b) to erect such buildings and monuments and establish such institutions thereon as it may deem appropriate as a memorial to the men of the American Expeditionary Forces who participated in the Battle of Belleau Wood, France, and vicinity during the World War; (c) to solicit and obtain members; (d) to charge and collect membership dues, and to solicit and receive contributions of money to be devoted to carrying out such purposes; and (e) to care for and maintain such memorial.

(Mar. 3, 1923, ch. 228, §2, 42 Stat. 1441.)

#### § 63. Powers of corporation

The corporation (a) shall have perpetual succession; (b) may sue and be sued; (c) may adopt

a corporate seal and alter it at pleasure; (d) may adopt and alter bylaws not inconsistent with the Constitution and laws of the United States or of any State; (e) may establish and maintain offices for the conduct of its business; (f) may appoint officers and agents; (g) may choose a board of trustees consisting of not more than fifteen persons nor less than five persons, to conduct the business and exercise the powers of the corporation; (h) may acquire, by purchase, devise, bequest, gift, or otherwise, and hold, encumber, convey, or otherwise dispose of, such real and personal property as may be necessary or appropriate for its corporate purposes, and especially the whole or any portion of Belleau Wood, Department of Aisne, France, to the extent that it may be or become consistent with, or permitted by, the laws of the French Republic; and (i) generally may do any and all lawful acts necessary or appropriate to carry out the purposes for which the corporation is created.

(Mar. 3, 1923, ch. 228, §3, 42 Stat. 1441.)

#### § 64. Acquisition of assets and liabilities of existing corporation

The Belleau Wood Memorial Association, a corporation heretofore incorporated under the laws of the District of Columbia, is authorized to transfer to the corporation created by this chapter all of its property, rights, and assets, and such corporation is authorized to receive all of such property, rights, and assets. Upon such transfer, such association shall thereby be dissolved, and such corporation shall be liable for all the obligations of, and claims against, such association, and all of such obligations and claims may be enforced against the corporation.

(Mar. 3, 1923, ch. 228, §4, 42 Stat. 1441.)

#### § 65. Annual report

The corporation shall, on or before the 1st day of December in each year, transmit to Congress a report of its proceedings and activities for the preceding calendar year. Such reports shall not be printed as public documents.

(Mar. 3, 1923, ch. 228, §5, 42 Stat. 1441; Aug. 30, 1964, Pub. L. 88-504, §4(6), 78 Stat. 636.)

#### AMENDMENTS

1964—Pub. L. 88-504 struck out “, including the full and complete statement of its receipts and expenditures” after “calendar year”.

#### § 66. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter at any time is expressly reserved.

(Mar. 3, 1923, ch. 228, §6, 42 Stat. 1441.)

### CHAPTER 4A—AMVETS (AMERICAN VETERANS OF WORLD WAR II, KOREA, AND VIETNAM)

Sec.

- |      |                                                                                        |
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| 67.  | Corporation created.                                                                   |
| 67a. | Adoption of constitution, bylaws, and declaration of principles; election of officers. |
| 67b. | Purposes of corporation.                                                               |
| 67c. | Powers of corporation.                                                                 |

- Sec.  
67d. Propaganda activities prohibited; nonpolitical nature of corporation; membership of executive committee; headquarters; territorial scope of activities.
- 67e. Membership.
- 67f. Voting rights of members and convention delegates; executive committee.
- 67g. Acquisition of assets and liabilities of existing association.
- 67h. Use of assets on dissolution or liquidation.
- 67i. Additional corporate powers.
- 67j. Liability for acts of officials and agents.
- 67k. Agent for service of process.
- 67l. Election of officers.
- 67m. Books and records; inspection.
- 67n. Prohibition against issuance of stock or payment of dividends.
- 67o. Loans to officers; liability of officers.
- 67p. Exclusive right to name, seals, emblems, and badges.
- 67q. Service of process; local authorized agents in States.
- 67r. Grant and accrual of rights of other national veterans' organizations.
- 67s. Reservation of right to amend or repeal chapter.

### § 67. Corporation created

The following persons, to wit: Jack W. Hardy, 7421 Beverly Boulevard, Los Angeles, California; Elmo Keel, 4085 Minnesota Avenue Northeast, Washington, District of Columbia; William Enters, suite 1509-1511, 11 South LaSalle Street, Chicago, Illinois; Doctor Gerald I. Cetrulo, 166 Bloomfield Avenue, Newark, New Jersey; Norman Clock, 125 South Fourth Street, Reading, Pennsylvania; Floyd Williams, C-2 704 North Monroe Street, Arlington, Virginia; Reverend Joseph T. O'Callaghan, United States Navy Department, Washington, District of Columbia; George R. Porter, 1730 South Adams Street, Fort Worth, Texas; Robert E. McLaughlin, 800 South Washington Street, Alexandria, Virginia; Ray Sawyer, Plymouth, New Hampshire; James C. Tate, 2 Wilton Road, Rural Free Delivery Numbered 5, Alexandria, Virginia; George E. Burke, 1126 Central Avenue, Saint Petersburg, Florida; A. Ronald Button, 6331 Hollywood Boulevard, Hollywood 28, California; Americus Lamberti, 515 West Seventh Street, Plainfield, New Jersey; Emory S. McNider, Coffeyville, Alabama; Allen Hansen, 815 East Broadway, Tucson, Arizona; Edward S. Shattuck, 1400 North Hobart Boulevard, Los Angeles, California; Elvon L. Howell, 652 Gilpin Street, Denver, Colorado; William N. Welsh, 21 Bristol Street, West Haven, Connecticut; Francis D. Odell, 18 Lawson Avenue, Claymont, Delaware; George Lewis, 125 State Capitol, Atlanta, Georgia; Lee Witaski, 1438 Thorndale Avenue, Chicago, Illinois; Doctor Clyde Iongstreth, Atlantic, Iowa; Harry N. Gillig, Junior, 612 Kansas Avenue, Topeka, Kansas; John H. Ostertag, 955 Charles Street, Louisville, Kentucky; Otto E. Passman, 114-120 Walnut Street, post-office drawer 1833, Monroe, Louisiana; Doctor G. E. Marrone, 610 Fairview Avenue, Frederick, Maryland; Howard J. McDonald, 4 College Street, Lewiston, Maine; Edward J. Beauchamp, 4 College Street, Lewiston, Maine; Albert J. Reynolds, Tremont Temple Building, Boston, Massachusetts; Neil Holland, 401 Charlevoix Building, 2033 Park Avenue, Detroit, Michigan; Monte M. Korn, 18041 Washburn, De-

troit, Michigan; Raymond D. Vosburgh, 222½ West Lewis Street, Mankato, Minnesota; George R. Gess, box 47, Mount Olive, Mississippi; Henry W. Simpson, room 500, 119 North Seventh Street, Saint Louis, Missouri; R. C. Letcher, Billings Fire Department, Billings, Montana; Doctor A. D. Faier, 1102 Medical Arts Building, Omaha, Nebraska; Jay J. Strode, Wells, Nevada; N. L. Samaha, C-1, 1 Keeble Street, Plymouth, New Hampshire; William Hepp, 1918 Liberty Bank Building, Buffalo, New York; Huston W. Galyen, 1121 Sixteenth Avenue North, Fargo, North Dakota; Carl Freudenberg, 1298 Michigan Avenue, Cincinnati, Ohio; Fred Milligan, attorney at law, Columbus, Ohio; Joseph D. Stafford, route 2, box 662, Oklahoma City, Oklahoma; Anthony R. McGrath, 609 Plaza Building, Pittsburgh, Pennsylvania; Harry M. DeWitt, Junior, 2316 Fortieth Street Northwest, Washington, District of Columbia; Robert W. Donald, post-office box 2, Easley, South Carolina; Dick Kelly, Shaw Insurance Company, Sioux Falls, South Dakota; Alex Bullocks, 1464 Washington Street, Memphis, Tennessee; Thomas J. Russell, Burlington, Vermont; John E. Fletcher, 806 North Eye Street, Tacoma, Washington; R. L. Stubbs, Professional Building, Fairmont, West Virginia; Walter L. Thompson, 1316 Lombard, Everett, Washington; Robert A. Garrett, 163 Eccles Building, Ogden, Utah; Searcy Johnson, 805 Mercantile Building, Dallas, Texas; Hampton C. Godbe, 116 P Street, Salt Lake City, Utah; Allen P. Solada, 311 Dauphin Building, Harrisburg, Pennsylvania; George Vukmanic, 221 Martin Avenue, Pittsburgh 16, Pennsylvania; Royce C. Granger, 102 East Eighteenth Street, Tulsa, Oklahoma; Charles E. Nassif, 1023 Thirteenth Street North, Fargo, North Dakota; Paul D. Higgins, 104½ Broadway, Fargo, North Dakota; Edmund P. Radwan, 906 Broadway, Buffalo, New York; Alexander J. Matturria, 234 Mount Prospect Avenue, Newark, New Jersey; J. F. Roche, Bond Building, 1015 Elm Street, Manchester, New Hampshire; Kenneth A. Van Vorst, 114 East Bonanza Road, Las Vegas, Nevada; Julian C. Harvey, 1731 Walnut Street, Kansas City, Missouri; John Wesley, box 482, Pica-yune, Mississippi; Claude C. Morgan, 810 Hammond Building, Detroit, Michigan; Edward A. Trudell, 26 Horan Way, Jamaica Plain, Massachusetts; Vincent C. Neeson, Labelle and Bellona, Ruxton, Baltimore 4, Maryland; R. L. Huot, 106 Elm Street, Biddeford, Maine; John E. Sutherlin, Sutherlin Sales Company, Industries Building, New Orleans, Louisiana; Thomas Wilkerson, 1600 Washington, Henderson, Kentucky; John C. Junkins, Cherokee, Kansas; Doctor C. W. Hoffman, 1340 Forty-first Street, Des Moines, Iowa; Allen W. Jenkins, 1015 Cherry Street, Evansville, Indiana; Edwin I. Bruder, 6837 Clyde Avenue, Chicago, Illinois; Harry P. Orcutt, Fort Benning, Georgia; Arthur Di Vincent, post-office box 4579, Miami 28, Florida; Maurice B. Marholin, 176 McClintock Road, New Britain, Connecticut; Harry Steinbery, First National Bank Building, El Dorado, Arkansas; Jess Curtiss, 807 North Third Street, Phoenix, Arizona; Edward S. Coston, 69 Ninth Street North, Birmingham, Alabama; Anthony O. Jones, 315 Security Building, Phoenix, Arizona; Frank Dee Scriven, 8474 West Third Street, Los Angeles 36,

California; Allen C. Hessier, 1275 Clarkson Street, Number 4, Denver 3, Colorado; Michael Dzamki, 3912 First Street, East Chicago, Indiana; S. Howard Rudolph, Junior, Atlantic, Iowa; Fred K. Greer, 427 East Market Street, Princeton, Kentucky; Roy Morgan, Winnfield, Louisiana; James C. Wilt, 842 Columbia Avenue, Cumberland, Maryland; Chester Modzelewski, 67 Davenport Street, Chicopee, Massachusetts; Arthur Madar, 9166 Yorkshire, Detroit, Michigan; John J. Clark, 257 Harrison Street, Biloxi, Mississippi; William E. Blake, 73 Grey, Buffalo 12, New York; Albert Geremia, room 303, 17 Exchange Street, Providence, Rhode Island; Frank E. Richter, 3, 12-14 West Sixth Street, Evansville, Indiana; Frank J. Ross, 1020 East Pleasant, Milwaukee, Wisconsin; Conrad K. Strauss, 160 Holland Avenue, Cowesett, Rhode Island; Paul S. Limerick, 456 Catalina, Webster Groves, Missouri; Raymond O'Brien, 22 North Ryan Street, Buffalo, New York; Dallas P. Richeson, post-office box 2226, Phoenix, Arizona; Fred Nimz, route 6, box 815A, Phoenix, Arizona; Tom Bulman, 243 East Fifteenth Street, Tucson, Arizona; Charles E. Brode, 15 North Lee Street, Cumberland, Maryland; Clyde B. Blanton, 2095 Seventh Avenue, North, Saint Petersburg, Florida; Floyd Cooper, 912 Polk Street, Amarillo, Texas; Paul Moody, 548 South Spring Street, Los Angeles, California; Oliver A. Farabee, Lexington, North Carolina; Thad Males, 329 West Valerio Street, Santa Barbara, California; and such persons who are members of the AMVETS (American Veterans of World War II, Korea, and Vietnam) and their successors, are created and declared to be a body corporate by the name AMVETS (American Veterans of World War II, Korea, and Vietnam) and by such name shall be known and have perpetual succession of the powers, limitations, and restrictions herein contained.

(July 23, 1947, ch. 298, §1, 61 Stat. 403; Aug. 15, 1977, Pub. L. 95-98, §1(a), 91 Stat. 830.)

#### AMENDMENTS

1977—Pub. L. 95-98 substituted "World War II, Korea, and Vietnam)" for "World War II)".

#### EFFECTIVE DATE OF 1977 AMENDMENT

Section 2 of Pub. L. 95-98 provided that: "The amendments made by the first section of this Act [amending this section and sections 67a, 67b, 67e, 67g, 67h, and 67p to 67r of this title] shall take effect on the first day of the second calendar month following the date of enactment of this Act [Aug. 15, 1977]."

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 67a of this title.

### § 67a. Adoption of constitution, bylaws, and declaration of principles; election of officers

A majority of the persons above named and other persons selected from among the membership of AMVETS (American Veterans of World War II), an unincorporated association as set forth in section 67 of this title, met in national convention in Chicago, Illinois, on October 12, 13, and 14, 1945, and then and there, by and through duly elected delegates representing one hundred and thirty-one posts throughout the United States adopted a national constitution, bylaws, and declaration of principles and duly

elected national officers for said organization, all as set forth in the Congressional Record, proceedings and debates of the Seventy-ninth Congress, first session, on November 6 and 7, 1945.

(July 23, 1947, ch. 298, §2, 61 Stat. 405.)

#### CODIFICATION

Amendment of this section by Pub. L. 95-98, §1(a), Aug. 15, 1977, 91 Stat. 830, which directed that "AMVETS (American Veterans of World War II, Korea, and Vietnam)" be substituted for "AMVETS (American Veterans of World War II)" has not been executed to text because the organization name is used in this section in the context of a historical reference to the name of the predecessor unincorporated association as that association existed at the time of the 1945 convention, at which time the association was named "AMVETS (American Veterans of World War II)".

### § 67b. Purposes of corporation

The purposes of this corporation shall be as follows:

(1) To preserve for ourselves and our posterity the great and basic truths and enduring principles upon which this Nation was founded.

(2) To maintain a continuing interest in the welfare and rehabilitation of the disabled veterans of World War II, the Korean conflict, and the Vietnam era and to establish facilities for the assistance of all veterans and to represent them in their claims before the Department of Veterans Affairs and other organizations without charge.

(3) To dedicate ourselves to the service and best interests of the community, State, and Nation, to the end that our country shall be and remain forever a whole, strong, and free Nation.

(4) To aid and encourage the abolition of prejudice, ignorance, and disease. To encourage universal exercise of the voting franchise, to the end that there shall be elected and maintained in public office men and women who hold such office as a public trust administered in the best interests of all the people.

(5) To advocate the development and means by which all Americans may become enlightened and informed citizens and thus participate fully in the functions of our democracy.

(6) To encourage and support an international organization of all peace-loving nations, to the end that not again shall any nation be permitted to breach their national peace.

(7) To continue to serve the best interests of our Nation in peace as in war.

(8) To develop to the utmost the human, mental, spiritual, and economical resources of our Nation.

(9) 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.

(10) 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.

(11) To operate as a corporation not for profit and that no part of the income or assets

shall inure to the benefit of any of its members, directors, or officers, nor be distributable thereto otherwise than upon dissolution or final liquidation; and that such corporation is organized and shall be operated exclusively for charitable, educational, patriotic, and civic improvement purposes.

(July 23, 1947, ch. 298, §3, 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.)

#### AMENDMENTS

1991—Par. (2). Pub. L. 102-54 substituted "Department of Veterans Affairs" for "Veterans' Administration".

1977—Par. (2). Pub. L. 95-98 inserted ", the Korean conflict, and the Vietnam era" after "World War II".

#### EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-98 effective Oct. 1, 1977, see section 2 of Pub. L. 95-98, set out as a note under section 67 of this title.

### § 67c. Powers of corporation

The corporation created shall have the following powers: To have perpetual succession with power to sue and be sued in any court of competent jurisdiction; 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, 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; to ordain and establish bylaws and regulations not inconsistent with the laws of the United States of America or any State thereof, for the management of its property and the regulation of its affairs; to use in carrying out its purposes such seals, emblems, and badges as it may lawfully adopt; to establish State and regional organizations and local posts; to publish magazines, newspapers, or any other publications consistent with the purposes of the corporation and to do any and all such acts and things as may be necessary and proper to carry into effect the purposes of the corporation.

(July 23, 1947, ch. 298, §4, 61 Stat. 406.)

#### CROSS REFERENCES

Additional powers, see section 67i of this title.

### § 67d. Propaganda activities prohibited; non-political nature of corporation; membership of executive committee; headquarters; territorial scope of activities

(1) No part of the activities of the corporation shall consist of carrying on propaganda.

(2) The corporation and its officers and the members of its executive committee as such shall not contribute to or otherwise support or assist any political party or candidate for elective public office.

(3) The current executive committee consists of forty members, namely, Ray Sawyer, Plymouth, New Hampshire; Jack W. Hardy, Title Guaranty Building, Los Angeles, California; Albert J. Reynolds, 3117 Washington Street, Rox-

bury, Massachusetts; L. M. Hinshaw, box 558, Asheboro, North Carolina; J. M. Crespi, Sims Building, 12 Auburn Avenue Northeast, Atlanta, Georgia; Arthur J. Madar, 9166 Yorkshire, Detroit 24, Michigan; Kenneth A. Anderson, 7166 South Penn Street, Denver, Colorado; Anthony O. Jones, 315 Security Building, Phoenix, Arizona; Agnes Frazee, post-office box 751, Uniontown, Pennsylvania; Floyd Williams, C-2, 704 North Monroe Street, Arlington, Virginia; William Kipp, 1032 North Dearborn Street, Chicago, Illinois; John J. Carney, 308 Leader Building, Cleveland, Ohio; Doctor John S. Weir, 618 South Main Street, Fond du Lac, Wisconsin; Reverend Sam Hill Ray, Loyola University, New Orleans, Louisiana; Nathan Gordon, Little Rock, Arkansas; Thad Males, 329 West Valerio Street, Santa Barbara, California; Al Grossi, Farmington, Connecticut; Harry M. De Witt, Junior, 2316 Fortieth Street Northwest, Washington, District of Columbia; George E. Burke, 1126 Central Avenue, Saint Petersburg, Florida; Charles L. Crowley, 935 Oglethorpe Avenue, Atlanta, Georgia; L. Harlan Swisher, 306 Davidson Drive, Champaign, Illinois; Arthur Schnipper, 4334 Ivy Street, East Chicago, Indiana; Robert Buckmaster, 158 Woodstock Road, Waterloo, Iowa; William C. Moss, Bogalusa, Louisiana; Edward J. Beauchamp, 163 Lisbon Street, Lewiston, Maine; Thomas Burke, 222 South Street, Fitchburg, Massachusetts; Milton F. Cooney, 55 Naomi Street, Pontiac, Michigan; Paul Limerick, 456 Catalina, Webster Groves, Missouri; Louis W. Zaris, 331 Guarantee Trust Building, Atlantic City, New Jersey; William Hepp, 176 Lafayette Street, Buffalo, New York; J. C. Powell, box 830, Winston-Salem, North Carolina; E. L. Hallowell, 455 Forest Avenue, Dayton, Ohio; K. L. Shirk, 33 North Duke Street, Lancaster, Pennsylvania; Albert Geremia, 277 Webster Avenue, Providence, Rhode Island; Richard H. Dewey, 251 Madison Avenue, Memphis, Tennessee; Ivan Stone, 2708 West Lamar, Houston, Texas; Doctor M. H. Seidner, 406 First Security Bank Building, Ogden, Utah; J. C. McCaughan, Junior, 1904 West Broad Street, Richmond, Virginia; John F. Howell, Junior, 1110½ Seventeenth Street, Parkersburg, West Virginia; and Kenneth Kunde, Quonset Park, Oshkosh, Wisconsin.

(4) The headquarters office and principal place of business of said corporation shall be located in Washington, District of Columbia, but the activities of said organization, as set out herein, shall not be confined to the District of Columbia, but shall be conducted throughout the various States, Territories, and possessions of the United States.

(July 23, 1947, ch. 298, §5, 61 Stat. 406.)

### § 67e. Membership

Eligibility for membership in AMVETS and the rights and privileges of members shall, except as provided in this chapter, be as provided in the constitution and bylaws of the organization, and terms of membership and requirements for holding office within the organization shall not be discriminatory on the basis of race, color, religion, sex or national origin.

(July 23, 1947, ch. 298, §6, 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.)

#### AMENDMENTS

1984—Pub. L. 98-304 amended section generally. Prior to amendment, section read as follows: “Any person who served in the Armed Forces of the United States of America or any American citizen who served in the armed forces of an allied nation of the United States at any time after September 15, 1940, and before May 8, 1975, is eligible for regular membership in AMVETS, provided such service when terminated by discharge or release from active duty be by honorable discharge or separation. No person who is a member of, or who advocates the principles of, any organization believing in, or working for, the overthrow of the United States Government by force, and no person who refuses to uphold and defend the Constitution of the United States, shall be privileged to become, or continue to be, a member of this organization”.

1977—Pub. L. 95-98 substituted “at any time after September 15, 1940, and before May 8, 1975,” for “on or after September 16, 1940, and on or before the date of cessation of hostilities as determined by the Government of the United States.”

1966—Pub. L. 89-576 redefined eligibility for membership in AMVETS, substituting “the date of cessation of hostilities as determined by the Government of the United States” for “January 31, 1955”.

1955—Act July 26, 1955, substituted “and on or before January 31, 1955” for “and before the legal termination of World War II”.

1950—Act Dec. 23, 1950, redefined eligibility for membership in AMVETS.

#### EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-98 effective Oct. 1, 1977, see section 2 of Pub. L. 95-98, set out as a note under section 67 of this title.

#### CROSS REFERENCES

Penalty for unauthorized manufacture, reproduction, or sale of badges or emblems of veterans' organizations, see section 705 of Title 18, Crimes and Criminal Procedure.

#### § 67f. Voting rights of members and convention delegates; executive committee

(1) Each member of the said corporation shall have the right to one vote in the conduct of official business at the post level. Each post shall have the right to elect delegates to national conventions of the corporation, which delegates shall each exercise one vote in the conduct of business of the respective convention to which he is elected.

(2) The executive committee of the said corporation shall consist of one member duly elected to represent each department, and, in addition, all elective officers shall be members of the executive committee, ex officio.

(July 23, 1947, ch. 298, §7, 61 Stat. 407.)

#### § 67g. Acquisition of assets and liabilities of existing association

The said corporation may and shall acquire all of the assets of the existing unincorporated association known as AMVETS (American Veterans of World War II) upon discharge or satisfactory provisions for the discharge of all its liabilities.

(July 23, 1947, ch. 298, §8, 61 Stat. 407.)

#### CODIFICATION

Amendment of this section by Pub. L. 95-98, §1(a), Aug. 15, 1977, 91 Stat. 830, which directed that “AMVETS (American Veterans of World War II, Korea, and Vietnam)” be substituted for “AMVETS (American Veterans of World War II)” has not been executed to text because the organization name is used in this section in the context of a historical reference to the name of the predecessor unincorporated association as that association existed at the time of the 1945 convention, at which time the association was named “AMVETS (American Veterans of World War II)”.

#### § 67h. Use of assets on dissolution or liquidation

In the event of a final dissolution or liquidation of such corporation, and after the discharge or satisfactory provisions for the discharge of all its liabilities, the remaining assets of the said corporation shall be transferred to the Department of Veterans Affairs to be applied to the care and comfort of disabled veterans of World War II, the Korean conflict and the Vietnam era.

(July 23, 1947, ch. 298, §9, 61 Stat. 407; Aug. 15, 1977, Pub. L. 95-98, §1(b)(3), 91 Stat. 830; June 13, 1991, Pub. L. 102-54, §13(n)(1), 105 Stat. 278.)

#### AMENDMENTS

1991—Pub. L. 102-54 substituted “Department of Veterans Affairs” for “Veterans' Administration”.

1977—Pub. L. 95-98 inserted “, the Korean conflict and the Vietnam era” after “World War II”.

#### EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-98 effective Oct. 1, 1977, see section 2 of Pub. L. 95-98, set out as a note under section 67 of this title.

#### § 67i. Additional corporate powers

The corporation shall have power to—

- (1) Have succession by its corporate name;
- (2) Choose such officers, representatives, and agents as are necessary to carry out the purposes of the corporation;
- (3) Contract and be contracted with;
- (4) Transfer and convey all real or personal property;
- (5) Borrow money for the purposes of the corporation, issue bonds therefor, and secure same by mortgage subject in every case to all applicable provisions of Federal or State laws.

(July 23, 1947, ch. 298, §10, 61 Stat. 407.)

#### § 67j. Liability for acts of officials and agents

The corporation shall be liable for the acts of its officials, representatives, and agents when acting within the scope of their authority.

(July 23, 1947, ch. 298, §11, 61 Stat. 407.)

#### § 67k. Agent for service of process

The corporation shall maintain in the District of Columbia at all times a designated agent authorized to accept services of processes for such corporation; and notice to or service upon such agent, or mail to the business address of such agent, shall be deemed notice or service upon the corporation.

(July 23, 1947, ch. 298, §12, 61 Stat. 407.)

#### § 67l. Election of officers

The following national officers of the said corporation shall be elected by the chosen delegates

thereof in annual national conventions, each official delegate casting one vote, to wit: National commander and seven national vice commanders, one of whom shall be a woman; finance officer, adjutant, judge advocate, and provost marshal.

(July 23, 1947, ch. 298, §13, 61 Stat. 408.)

**§ 67m. Books and records; inspection**

The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, executive committee, and committees having any of the authority of the executive committee; and shall keep at its registered office or principal office a record giving the names and addresses of its members entitled to vote; and permit all books and records of the corporation to be inspected by any member or his agent or his attorney for any proper purpose at any reasonable time.

(July 23, 1947, ch. 298, §14, 61 Stat. 408.)

CROSS REFERENCES

Printing of proceedings of national encampments as House documents, see section 1332 of Title 44, Public Printing and Documents.

**§ 67n. Prohibition against issuance of stock or payment of dividends**

The corporation shall not have or issue shares of stock, nor declare or pay dividends.

(July 23, 1947, ch. 298, §15, 61 Stat. 408.)

**§ 67o. Loans to officers; liability of officers**

No loan shall be made by the corporation to its officers or directors, or any of them, and any directors of the corporation who vote for or assent to the making of a loan or advance to an officer or director of the corporation, and any officer or officers participating in the making of any such loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(July 23, 1947, ch. 298, §16, 61 Stat. 408.)

**§ 67p. Exclusive right to name, seals, emblems, and badges**

The corporation and its State, regional, and local subdivisions shall have the sole and exclusive right to have and use in carrying out its purposes the name AMVETS (American Veterans of World War II, Korea, and Vietnam), and such seals, emblems, and badges as the corporation may lawfully adopt.

(July 23, 1947, ch. 298, §17, 61 Stat. 408; Aug. 15, 1977, Pub. L. 95-98, §1(a), 91 Stat. 830.)

AMENDMENTS

1977—Pub. L. 95-98 substituted “World War II, Korea, and Vietnam)” for “World War II)”.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-98 effective Oct. 1, 1977, see section 2 of Pub. L. 95-98, set out as a note under section 67 of this title.

CROSS REFERENCES

Penalty for unauthorized manufacture, reproduction, or sale of badges or emblems of veterans’ organizations,

see section 705 of Title 18, Crimes and Criminal Procedure.

**§ 67q. Service of process; local authorized agents in States**

As a condition precedent to the exercise of any power or privilege herein granted or conferred AMVETS (American Veterans of World War II, Korea, and Vietnam) shall serve notice on the secretary of state, in each State, of the name and address of an authorized agent in such State upon whom legal process or demands against this corporation may be served.

(July 23, 1947, ch. 298, §18, 61 Stat. 408; Aug. 15, 1977, Pub. L. 95-98, §1(a), 91 Stat. 830.)

AMENDMENTS

1977—Pub. L. 95-98 substituted “World War II, Korea, and Vietnam)” for “World War II)”.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-98 effective Oct. 1, 1977, see section 2 of Pub. L. 95-98, set out as a note under section 67 of this title.

**§ 67r. Grant and accrual of rights of other national veterans’ organizations**

Such provisions, privileges, and prerogatives as have been granted heretofore to other national veterans’ organizations by virtue of their being incorporated by Congress are granted and accrue to AMVETS (American Veterans of World War II, Korea, and Vietnam).

(July 23, 1947, ch. 298, §19, 61 Stat. 408; Aug. 15, 1977, Pub. L. 95-98, §1(a), 91 Stat. 830.)

AMENDMENTS

1977—Pub. L. 95-98 substituted “World War II, Korea, and Vietnam)” for “World War II)”.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-98 effective Oct. 1, 1977, see section 2 of Pub. L. 95-98, set out as a note under section 67 of this title.

**§ 67s. Reservation of right to amend or repeal chapter**

The right to repeal, alter, or amend this chapter at any time is expressly reserved.

(July 23, 1947, ch. 298, §20, 61 Stat. 408.)

**CHAPTER 5—GRAND ARMY OF THE REPUBLIC**

**§§ 71 to 77. Omitted**

CODIFICATION

Sections 71 to 77 related to Grand Army of the Republic, the corporate existence of which terminated pursuant to former section 76 of this title.

Section 71, act June 3, 1924, ch. 242, §1, 43 Stat. 358, created a corporation known as Grand Army of the Republic, with a membership limited to those who served as soldiers and sailors of the United States between Apr. 12, 1861, and Apr. 9, 1865, or in State regiments called into active service between those date and who were honorably discharged, and specified the powers of the corporation.

Section 72, act June 3, 1924, ch. 242, §2, 43 Stat. 359, defined objects and purposes of corporation.

Section 73, act June 3, 1924, ch. 242, §3, 43 Stat. 359, provided for a governing body for corporation.