

Public Law 105-231
105th Congress

An Act

Aug. 13, 1998
[S. 1759]

To grant a Federal charter to the American GI Forum of the United States.

Texas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

36 USC
app. 5901.

SECTION 1. RECOGNITION AND GRANT OF FEDERAL CHARTER.

The American GI Forum of the United States, a nonprofit corporation organized under the laws of the State of Texas, is recognized as such and granted a Federal charter.

36 USC
app. 5902.

SEC. 2. POWERS.

The American GI Forum of the United States (in this Act referred to as the "corporation") shall have only those powers granted to it through its bylaws and articles of incorporation filed in the State of Texas and subject to the laws of the State of Texas.

36 USC
app. 5903.

SEC. 3. PURPOSES.

The purposes of the corporation are those provided in its bylaws and articles of incorporation and shall include the following:

(1) To secure the blessing of American democracy at every level of local, State, and national life for all United States citizens.

(2) To uphold and defend the Constitution and the United States flag.

(3) To foster and perpetuate the principles of American democracy based on religious and political freedom for the individual and equal opportunity for all.

(4) To foster and enlarge equal educational opportunities, equal economic opportunities, equal justice under the law, and equal political opportunities for all United States citizens, regardless of race, color, religion, sex, or national origin.

(5) To encourage greater participation of the ethnic minority represented by the corporation in the policy-making and administrative activities of all departments, agencies, and other governmental units of local and State governments and the Federal Government.

(6) To combat all practices of a prejudicial or discriminatory nature in local, State, or national life which curtail, hinder, or deny to any United States citizen an equal opportunity to develop full potential as an individual.

(7) To foster and promote the broader knowledge and appreciation by all United States citizens of their cultural heritage and language.

SEC. 4. SERVICE OF PROCESS.

With respect to service of process, the corporation shall comply with the laws of the State of Texas and those States in which it carries on its activities in furtherance of its corporate purposes.

36 USC
app. 5904.**SEC. 5. MEMBERSHIP.**

Except as provided in section 8(g), eligibility for membership in the corporation and the rights and privileges of members shall be as provided in the bylaws and articles of incorporation of the corporation.

36 USC
app. 5905.**SEC. 6. BOARD OF DIRECTORS.**

Except as provided in section 8(g), the composition of the board of directors of the corporation and the responsibilities of the board shall be as provided in the bylaws and articles of incorporation of the corporation and in conformity with the laws of the State of Texas.

36 USC
app. 5906.**SEC. 7. OFFICERS.**

Except as provided in section 8(g), the positions of officers of the corporation and the election of members to such positions shall be as provided in the bylaws and articles of incorporation of the corporation and in conformity with the laws of the State of Texas.

36 USC
app. 5907.**SEC. 8. RESTRICTIONS.**

(a) **INCOME AND COMPENSATION.**—No part of the income or assets of the corporation may inure to the benefit of any member, officer, or director of the corporation or be distributed to any such individual during the life of this charter. Nothing in this subsection may be construed to prevent the payment of reasonable compensation to the officers and employees of the corporation or reimbursement for actual and necessary expenses in amounts approved by the board of directors.

36 USC
app. 5908.

(b) **LOANS.**—The corporation may not make any loan to any member, officer, director, or employee of the corporation.

(c) **ISSUANCE OF STOCK AND PAYMENT OF DIVIDENDS.**—The corporation may not issue any shares of stock or declare or pay any dividends.

(d) **DISCLAIMER OF CONGRESSIONAL OR FEDERAL APPROVAL.**—The corporation may not claim the approval of Congress or the authorization of the Federal Government for any of its activities by virtue of this Act.

(e) **CORPORATE STATUS.**—The corporation shall maintain its status as a corporation organized and incorporated under the laws of the State of Texas.

(f) **CORPORATE FUNCTION.**—The corporation shall function as an educational, patriotic, civic, historical, and research organization under the laws of the State of Texas.

(g) **NONDISCRIMINATION.**—In establishing the conditions of membership in the corporation and in determining the requirements for serving on the board of directors or as an officer of the corporation, the corporation may not discriminate on the basis of race, color, religion, sex, disability, age, or national origin.

36 USC
app. 5909.

SEC. 9. LIABILITY.

The corporation shall be liable for the acts of its officers, directors, employees, and agents whenever such individuals act within the scope of their authority.

36 USC
app. 5910.

SEC. 10. MAINTENANCE AND INSPECTION OF BOOKS AND RECORDS.

(a) **BOOKS AND RECORDS OF ACCOUNT.**—The corporation shall keep correct and complete books and records of account and minutes of any proceeding of the corporation involving any of its members, the board of directors, or any committee having authority under the board of directors.

(b) **NAMES AND ADDRESSES OF MEMBERS.**—The corporation shall keep at its principal office a record of the names and addresses of all members having the right to vote in any proceeding of the corporation.

(c) **RIGHT TO INSPECT BOOKS AND RECORDS.**—All books and records of the corporation may be inspected by any member having the right to vote in any proceeding of the corporation, or by any agent or attorney of such member, for any proper purpose at any reasonable time.

(d) **APPLICATION OF STATE LAW.**—This section may not be construed to contravene any applicable State law.

SEC. 11. AUDIT OF FINANCIAL TRANSACTIONS.

The first section of the Act entitled “An Act to provide for audit of accounts of private corporations established under Federal law”, approved August 30, 1964 (36 U.S.C. 1101), is amended by adding at the end the following:

“(80) American GI Forum of the United States.”.

36 USC
app. 5911.

SEC. 12. ANNUAL REPORT.

The corporation shall annually submit to Congress a report concerning the activities of the corporation during the preceding fiscal year. The annual report shall be submitted on the same date as the report of the audit required by reason of the amendment made in section 11. The annual report shall not be printed as a public document.

36 USC
app. 5912.

SEC. 13. RESERVATION OF RIGHT TO ALTER, AMEND, OR REPEAL CHARTER.

The right to alter, amend, or repeal this Act is expressly reserved to Congress.

36 USC
app. 5913.

SEC. 14. TAX-EXEMPT STATUS REQUIRED AS CONDITION OF CHARTER.

If the corporation fails to maintain its status as a corporation exempt from taxation as provided in the Internal Revenue Code of 1986 the charter granted in this Act shall terminate.

36 USC
app. 5914.

SEC. 15. TERMINATION.

The charter granted in this Act shall expire if the corporation fails to comply with any of the provisions of this Act.

SEC. 16. DEFINITION OF STATE.36 USC
app. 5915.

For purposes of this Act, the term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and the territories and possessions of the United States.

Approved August 13, 1998.

LEGISLATIVE HISTORY—S. 1759:**CONGRESSIONAL RECORD**, Vol. 144 (1998):

July 31, considered and passed Senate.

Aug. 3, considered and passed House.