

105TH CONGRESS
2^D SESSION

S. 1759

AN ACT

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. RECOGNITION AND GRANT OF FEDERAL CHAR-**
2 **TER.**

3 The American GI Forum of the United States, a non-
4 profit corporation organized under the laws of the State
5 of Texas, is recognized as such and granted a Federal
6 charter.

7 **SEC. 2. POWERS.**

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

13 **SEC. 3. PURPOSES.**

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

17 (1) To secure the blessing of American democ-
18 racy at every level of local, State, and national life
19 for all United States citizens.

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

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

1 (4) To foster and enlarge equal educational op-
2 portunities, equal economic opportunities, equal jus-
3 tice under the law, and equal political opportunities
4 for all United States citizens, regardless of race,
5 color, religion, sex, or national origin.

6 (5) To encourage greater participation of the
7 ethnic minority represented by the corporation in the
8 policy-making and administrative activities of all de-
9 partments, agencies, and other governmental units
10 of local and State governments and the Federal Gov-
11 ernment.

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

17 (7) To foster and promote the broader knowl-
18 edge and appreciation by all United States citizens
19 of their cultural heritage and language.

20 **SEC. 4. SERVICE OF PROCESS.**

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

1 **SEC. 5. MEMBERSHIP.**

2 Except as provided in section 8(g), eligibility for
3 membership in the corporation and the rights and privi-
4 leges of members shall be as provided in the bylaws and
5 articles of incorporation of the corporation.

6 **SEC. 6. BOARD OF DIRECTORS.**

7 Except as provided in section 8(g), the composition
8 of the board of directors of the corporation and the re-
9 sponsibilities of the board shall be as provided in the by-
10 laws and articles of incorporation of the corporation and
11 in conformity with the laws of the State of Texas.

12 **SEC. 7. OFFICERS.**

13 Except as provided in section 8(g), the positions of
14 officers of the corporation and the election of members
15 to such positions shall be as provided in the bylaws and
16 articles of incorporation of the corporation and in con-
17 formity with the laws of the State of Texas.

18 **SEC. 8. RESTRICTIONS.**

19 (a) INCOME AND COMPENSATION.—No part of the in-
20 come or assets of the corporation may inure to the benefit
21 of any member, officer, or director of the corporation or
22 be distributed to any such individual during the life of this
23 charter. Nothing in this subsection may be construed to
24 prevent the payment of reasonable compensation to the
25 officers and employees of the corporation or reimburse-

1 ment for actual and necessary expenses in amounts ap-
2 proved by the board of directors.

3 (b) LOANS.—The corporation may not make any loan
4 to any member, officer, director, or employee of the cor-
5 poration.

6 (c) ISSUANCE OF STOCK AND PAYMENT OF DIVI-
7 DENDS.—The corporation may not issue any shares of
8 stock or declare or pay any dividends.

9 (d) DISCLAIMER OF CONGRESSIONAL OR FEDERAL
10 APPROVAL.—The corporation may not claim the approval
11 of Congress or the authorization of the Federal Govern-
12 ment for any of its activities by virtue of this Act.

13 (e) CORPORATE STATUS.—The corporation shall
14 maintain its status as a corporation organized and incor-
15 porated under the laws of the State of Texas.

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

20 (g) NONDISCRIMINATION.—In establishing the condi-
21 tions of membership in the corporation and in determining
22 the requirements for serving on the board of directors or
23 as an officer of the corporation, the corporation may not
24 discriminate on the basis of race, color, religion, sex, dis-
25 ability, age, or national origin.

1 **SEC. 9. LIABILITY.**

2 The corporation shall be liable for the acts of its offi-
3 cers, directors, employees, and agents whenever such indi-
4 viduals act within the scope of their authority.

5 **SEC. 10. MAINTENANCE AND INSPECTION OF BOOKS AND**
6 **RECORDS.**

7 (a) **BOOKS AND RECORDS OF ACCOUNT.**—The cor-
8 poration shall keep correct and complete books and
9 records of account and minutes of any proceeding of the
10 corporation involving any of its members, the board of di-
11 rectors, or any committee having authority under the
12 board of directors.

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

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

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

24 **SEC. 11. AUDIT OF FINANCIAL TRANSACTIONS.**

25 The first section of the Act entitled “An Act to pro-
26 vide for audit of accounts of private corporations estab-

1 lished under Federal law”, approved August 30, 1964 (36
2 U.S.C. 1101), is amended by adding at the end the follow-
3 ing:

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

6 **SEC. 12. ANNUAL REPORT.**

7 The corporation shall annually submit to Congress a
8 report concerning the activities of the corporation during
9 the preceding fiscal year. The annual report shall be sub-
10 mitted on the same date as the report of the audit required
11 by reason of the amendment made in section 11. The an-
12 nual report shall not be printed as a public document.

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

15 The right to alter, amend, or repeal this Act is ex-
16 pressly reserved to Congress.

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

19 If the corporation fails to maintain its status as a
20 corporation exempt from taxation as provided in the Inter-
21 nal Revenue Code of 1986 the charter granted in this Act
22 shall terminate.

1 **SEC. 15. TERMINATION.**

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

5 **SEC. 16. DEFINITION OF STATE.**

6 For purposes of this Act, the term “State” includes
7 the District of Columbia, the Commonwealth of Puerto
8 Rico, the Commonwealth of the Northern Mariana Is-
9 lands, and the territories and possessions of the United
10 States.

Passed the Senate July 31, 1998.

Attest:

Secretary.

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