

§ 154511. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1437.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
154511	36:2809.	Oct. 19, 1984, Pub. L. 98-520, § 9, 98 Stat. 2429.

§ 154512. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1437.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
154512	36:2811.	Oct. 19, 1984, Pub. L. 98-520, § 12, 98 Stat. 2430.

CHAPTER 1547—NON COMMISSIONED OFFICERS ASSOCIATION OF THE UNITED STATES OF AMERICA, INCORPORATED

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§ 154701. Definition

For purposes of this chapter, “State” includes the District of Columbia and the territories and possessions of the United States.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1437.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
154701	36:4014.	Apr. 6, 1988, Pub. L. 100-281, § 15, 102 Stat. 75.

The words “the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands” are omitted as included in “the territories and possessions of the United States”.

§ 154702. Organization

(a) FEDERAL CHARTER.—Non Commissioned Officers Association of the United States of America, Incorporated (in this chapter, the “corporation”), a nonprofit corporation incorporated in Texas, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1437.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
154702(a)	36:4001.	Apr. 6, 1988, Pub. L. 100-281, §§ 1, 16 (last sentence), 18, 102 Stat. 73, 75, 76.
154702(b)	36:4015 (last sentence). 36:4017.	

This section is substituted for the source provisions for consistency in the revised title and to eliminate unnecessary and executed words.

§ 154703. Purposes

The purposes of the corporation are as provided in the bylaws and articles of incorporation and include—

- (1) upholding and defending the Constitution of the United States;
- (2) promoting health, prosperity, and scholarship among its members and their dependents and survivors through benevolent programs;
- (3) assisting veterans and their dependents and survivors through a service program established for that purpose;
- (4) improving conditions for service members, veterans, and their dependents and survivors; and
- (5) fostering fraternal and social activities among its members in recognition that cooperative action is required for the furtherance of their common interests.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1437.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
154703	36:4003.	Apr. 6, 1988, Pub. L. 100-281, § 3, 102 Stat. 73.

§ 154704. 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) NONDISCRIMINATION.—The terms of membership may not discriminate on the basis of race, color, religion, sex, disability, age, or national origin.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1438.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
154704(a)	36:4005.	Apr. 6, 1988, Pub. L. 100-281, §§ 5, 8 (related to membership), 102 Stat. 73, 74.
154704(b)	36:4008 (related to membership).	

In subsection (a), the words “Except as provided in this chapter” are substituted for “Except as provided

in section 4008 of this title” for consistency in the revised title.

In subsection (b), the words “The terms of membership” are substituted for “In establishing the conditions of membership in the corporation” for consistency in the revised title and to eliminate unnecessary words.

§ 154705. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

(c) NONDISCRIMINATION.—The requirements for serving as a director or officer may not discriminate on the basis of race, color, religion, sex, disability, age, or national origin.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1438.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
154705(a)	36:4006.	Apr. 6, 1988, Pub. L. 100–281, §§ 6, 7, 8 (related to directors and officers), 102 Stat. 74.
154705(b)	36:4007.	
154705(c)	36:4008 (related to directors and officers).	

In subsections (a) and (b), the words “and in conformity with the laws of the State in which it is incorporated” are omitted as unnecessary.

§ 154706. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1438.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
154706	36:4002.	Apr. 6, 1988, Pub. L. 100–281, § 2, 102 Stat. 73.

The words “and subject to the laws of such State” are omitted as unnecessary.

§ 154707. Exclusive right to name, seals, emblems, and badges

The corporation has the exclusive right to use the names “The Non Commissioned Officers Association of the United States of America”, “Non Commissioned Officers Association of the United States of America”, “Non Commissioned Officers Association”, and “NCOA”, and seals, emblems, and badges the corporation adopts. This section does not affect any vested rights.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1438.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
154707	36:4016.	Apr. 6, 1988, Pub. L. 100–281, § 17, 102 Stat. 75.

The words “sole” and “may lawfully” are omitted as unnecessary. The words “This section does not affect

any vested rights” are substituted for “Nothing in this section may be construed to conflict or interfere with established or vested rights” for consistency in the revised title and to eliminate unnecessary words.

§ 154708. Restrictions

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

(b) 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 during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(c) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(d) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1438.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
154708	36:4009.	Apr. 6, 1988, Pub. L. 100–281, § 9, 102 Stat. 74.

In subsection (a), the words “any shares of” are omitted as unnecessary.

In subsection (b), the words “inure to the benefit of” are substituted for “inure to” for consistency in the revised title.

§ 154709. Duty to maintain tax-exempt status

The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1438.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
154709	36:4015 (1st sentence).	Apr. 6, 1988, Pub. L. 100–281, § 16 (1st sentence), 102 Stat. 75.

§ 154710. Records and inspection

(a) RECORDS.—The corporation shall keep—

- (1) correct and complete records of account;
- (2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and
- (3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1439.)