

Before clause (1), the word “objects” is omitted as included in “purposes”.

§ 170103. Membership

An individual is eligible for membership in the corporation if the individual—

- (1) is a citizen of the United States;
- (2) was regularly enlisted, inducted, or commissioned, and was accepted for or on active duty, in the Army, Navy, Marine Corps, Air Force, or Coast Guard of the United States or an ally of the United States;
- (3)(A) was separated from service in the Armed Forces under conditions other than dishonorable; or
- (B) is on active duty or must continue to serve after the cessation of hostilities; and
- (4) has suffered a spinal cord injury or disease, whether or not service connected in origin.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1440.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170103	36:1157.	Aug. 11, 1971, Pub. L. 92–93, § 7, 85 Stat. 318.

In clause (1), the words “citizen of the United States” are substituted for “American citizen” for consistency in the revised title and with other titles of the United States Code.

Clause (3)(A) is substituted for “Service with the Armed Forces must have been terminated by discharge or separation from service under conditions other than dishonorable” to eliminate unnecessary words.

Clause (3)(B) is substituted for “*Provided, however*, That persons otherwise eligible for membership who are on active duty or who must continue to serve after the cessation of hostilities are also eligible for membership” to eliminate unnecessary words.

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 170104. Powers

- (a) SPECIFIC POWERS.—The corporation may—
 - (1) adopt and amend a constitution and by-laws;
 - (2) adopt and alter a corporate seal, emblems, and badges;
 - (3) choose officers, representatives, and agents as necessary to carry out the purposes of the corporation;
 - (4) make contracts;
 - (5) accept gifts, legacies, and devises that will further the purposes of the corporation;
 - (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) establish, regulate, and discontinue subordinate State and regional organizations and local chapters or posts;

- (9) establish and maintain offices to conduct the affairs of the corporation;
- (10) publish a magazine, newspaper, and other publications;
- (11) sue and be sued; and
- (12) do any other act necessary and proper to carry out the purposes of the corporation.

(b) PRIVILEGES OF OTHER NATIONAL VETERANS’ ORGANIZATIONS.—Privileges granted to other national veterans’ organizations as a result of their being incorporated by Congress are also granted to the corporation.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1440.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170104(a)	36:1154 (less perpetual succession).	Aug. 11, 1971, Pub. L. 92–93, §§ 4 (less perpetual succession), 13, 85 Stat. 317, 319.
170104(b)	36:1163.	

In subsection (a)(1), the word “amend” is substituted for “alter” for consistency in the revised title. The words “not inconsistent with law” are omitted as unnecessary.

In subsection (a)(6), the words “acquire, own, lease, encumber, and transfer” are substituted for “acquire, hold, and dispose of” for consistency in the revised title. The words “such real and personal” and “as may be” are omitted as unnecessary.

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

In subsection (a)(12), the words “any other act” are substituted for “any and all acts and things” for consistency in the revised title and to eliminate unnecessary words. The words “objects and” are omitted as unnecessary.

In subsection (b), the words “Such provisions”, “and prerogatives”, “heretofore”, and “hereby” are omitted as unnecessary.

§ 170105. Exclusive right to name, seals, emblems, and badges

The corporation and its State and regional organizations and local chapters or posts have the exclusive right to use the name “Paralyzed Veterans of America” and seals, emblems, and badges the corporation lawfully adopts.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1441.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170105	36:1160.	Aug. 11, 1971, Pub. L. 92–93, § 10, 85 Stat. 318.

The words “sole”, “have and”, and “in carrying out its purposes” are omitted as unnecessary.

§ 170106. Restrictions

- (a) PROFIT.—The corporation may not engage in business for profit.
- (b) STOCK.—The corporation may not issue stock.

(c) **POLITICAL ACTIVITIES.**—The corporation shall be nonpolitical and may not provide financial aid to, or otherwise promote the candidacy of, an individual seeking public office.

(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, member, or employee during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of reasonable compensation to an officer or employee or reimbursement for actual necessary expenses in amounts approved by the board of directors.

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

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1441.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
170106(a), (b).	36:1155.	Aug. 11, 1971, Pub. L. 92-93, §§ 5, 6, 14, 85 Stat. 318, 319.
170106(c)	36:1156.	
170106(d)	36:1164(a).	
170106(e)	36:1164(b).	

In subsection (a), the words “pecuniary” and “or gain” are omitted as unnecessary.

In subsection (b), the word “capital” is omitted as unnecessary.

In subsection (c), the words “as an organization” are omitted as unnecessary.

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

§ 170107. Headquarters and principal place of business

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

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1441.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
170107	36:1158.	Aug. 11, 1971, Pub. L. 92-93, § 8, 85 Stat. 318.

The words “activities of the corporation are not confined to the District of Columbia but may be” are substituted for “activities of said organization, as set out herein, shall not be confined to said city, but shall be” for consistency in the revised title.

§ 170108. Records and inspection

(a) **RECORDS.**—The corporation shall keep—

- (1) correct and complete records of account;
- (2) minutes of the proceedings of its members, executive committee, and committees having any of the authority of its executive committee; 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. 1441.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
170108	36:1161.	Aug. 11, 1971, Pub. L. 92-93, § 11, 85 Stat. 318.

In this section, the word “records” is substituted for “books and records” for consistency in the revised title and with other titles of the United States Code.

In subsection (a)(3), the words “registered office or” are omitted for consistency in the revised title.

§ 170109. Service of process

As a condition to the exercise of any power or privilege granted by this chapter, the corporation shall file, with the secretary of state or other designated official of each State, territory, or possession of the United States in which an organization, chapter, or post is organized, the name and address of an agent in that State, territory, or possession on whom legal process or demands against the corporation may be served.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1441.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
170109	36:1162.	Aug. 11, 1971, Pub. L. 92-93, § 12, 85 Stat. 318.

The words “precedent”, “herein”, and “or conferred” are omitted as unnecessary. The words “with the secretary of state or other designated official” are substituted for “in the office of the Secretary” for consistency in the revised title. The words “post office” and “authorized” are omitted as unnecessary. The words “legal process” are substituted for “local process” for consistency in the revised title.

§ 170110. 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. 1442.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
170110	36:1165.	Aug. 11, 1971, Pub. L. 92-93, § 15, 85 Stat. 319.

§ 170111. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge or satisfactory provision for discharge of all liabilities shall be transferred to the Secretary of Veterans Affairs to be applied to the care and comfort of paralyzed veterans.