

corporation. Notice to or service on the agent is notice to or service on the corporation.

(b) STATES, TERRITORIES, AND POSSESSIONS.—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 a subordinate department or local chapter 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. 1448.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
190110(a) .....	36:236 (2d. last sentences).	June 30, 1950, ch. 431, §§16 (2d. last sentences), 17, 64 Stat. 315.
190110(b) .....	36:237.	

In subsection (b), the words “precedent” 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 of state, or similar officer” for consistency in the revised title. The words “post office” are omitted as unnecessary.

§ 190111. 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. 1449.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
190111 .....	36:232.	June 30, 1950, ch. 431, §12, 64 Stat. 314.

§ 190112. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be divided equally among the then active officers and members.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1449.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
190112 .....	36:231 (words after 2d comma).	June 30, 1950, ch. 431, §11 (words after 2d comma), 64 Stat. 314.

The word “satisfaction” is omitted as included in “discharge”, and the word “obligations” is omitted as included in “liabilities”. The word “outstanding” is omitted as unnecessary.

CHAPTER 1903—RETIRED ENLISTED ASSOCIATION, INCORPORATED

Sec.	
190301.	Definition.
190302.	Organization.
190303.	Purposes.
190304.	Membership.
190305.	Governing body.

Sec.	
190306.	Powers.
190307.	Exclusive right to name, seals, emblems, and badges.
190308.	Restrictions.
190309.	Duty to maintain tax-exempt status.
190310.	Records and inspection.
190311.	Service of process.
190312.	Liability for acts of officers and agents.
190313.	Annual report.

§ 190301. 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. 1449.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
190301 .....	36:5117.	Oct. 23, 1992, Pub. L. 102-484, title XVIII, §1838, 106 Stat. 2586.

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”.

§ 190302. Organization

(a) FEDERAL CHARTER.—Retired Enlisted Association, Incorporated (in this chapter, the “corporation”), a nonprofit corporation incorporated in Colorado, 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. 1449.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
190302(a) .....	36:5101.	Oct. 23, 1992, Pub. L. 102-484, title XVIII, §§1821, 1835 (last sentence), 1837, 106 Stat. 2584, 2586.
190302(b) .....	36:5114 (last sentence). 36:5116.	

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

§ 190303. Purposes

The purposes of the corporation are as provided in its articles of incorporation and bylaws 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 retired enlisted service members, veterans, and their dependents and survivors; and
- (5) fostering fraternal and social activities among its members in recognition that coop-

erative action is required for the furtherance of their common interests.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1449.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
190303 .....	36:5103.	Oct. 23, 1992, Pub. L. 102-484, title XVIII, §1823, 106 Stat. 2584.

The word “objects” is omitted as included in “purposes”.

§ 190304. 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 articles of incorporation and bylaws.

(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. 1450.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
190304(a) .....	36:5105.	Oct. 23, 1992, Pub. L. 102-484, title XVIII, §1825, 106 Stat. 2584.
190304(b) .....	36:5108 (related to membership).	Oct. 23, 1992, Pub. L. 102-484, title XVIII, §1828 (related to membership), 106 Stat. 2585; Nov. 30, 1993, Pub. L. 103-160, title XI, §1182(c)(6), 107 Stat. 1772.

In subsection (a), the words “Except as provided in this chapter” are substituted for “Except as provided in section 5108 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.

§ 190305. 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. 1450.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
190305(a) .....	36:5106.	Oct. 23, 1992, Pub. L. 102-484, title XVIII, §§1826, 1827, 106 Stat. 2584.
190305(b) .....	36:5107.	Oct. 23, 1992, Pub. L. 102-484, title XVIII, §1828 (related to directors and officers), 106 Stat. 2585; Nov. 30, 1993, Pub. L. 103-160, title XI, §1182(c)(6), 107 Stat. 1772.
190305(c) .....	36:5108 (related to directors and officers).	Oct. 23, 1992, Pub. L. 102-484, title XVIII, §1828 (related to directors and officers), 106 Stat. 2585; Nov. 30, 1993, Pub. L. 103-160, title XI, §1182(c)(6), 107 Stat. 1772.

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.

In subsection (c), the words “The requirements for serving as a director or officer” are substituted for “in determining the requirements for serving on the board of directors or as an officer of the corporation” for consistency in the revised title and to eliminate unnecessary words.

§ 190306. 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. 1450.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
190306 .....	36:5102.	Oct. 23, 1992, Pub. L. 102-484, title XVIII, §1822, 106 Stat. 2584.

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

§ 190307. Exclusive right to name, seals, emblems, and badges

The corporation has the exclusive right to use the names “The Retired Enlisted Association, Incorporated”, “The Retired Enlisted Association”, “Retired Enlisted Association”, and “TREA” 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. 1450.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
190307 .....	36:5115.	Oct. 23, 1992, Pub. L. 102-484, title XVIII, §1836, 106 Stat. 2586.

The words “sole” and “lawfully” are omitted as unnecessary. The last sentence is substituted for “Nothing in this section may be construed to conflict or interfere with rights that are established or vested before October 23, 1992” for consistency in the revised title and to eliminate unnecessary words.

§ 190308. 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.