

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
220706	36:1802.	Nov. 20, 1981, Pub. L. 97-83, § 2, 95 Stat. 1094.

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

§ 220707. Restrictions

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

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or otherwise participate in any political activity or in any manner attempt to influence legislation.

(c) 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.

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

(e) 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. 1480.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
220707(a)	36:1808(d).	Nov. 20, 1981, Pub. L. 97-83, § 8, 95 Stat. 1095.
220707(b)	36:1808(c).	
220707(c)	36:1808(a).	
220707(d)	36:1808(b).	
220707(e)	36:1808(e).	

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

In subsection (b), the words “as such” are substituted for “acting as such officer or director” for consistency in the revised title.

In subsection (c), the words “may not” are substituted for “No part of . . . shall” for consistency in the revised title and to eliminate unnecessary words. The words “inure to the benefit of” are substituted for “inure to” for consistency in the revised title. The words “This subsection does not” are substituted for “Nothing in this subsection shall be construed to” for consistency in the revised title and to eliminate unnecessary words.

§ 220708. 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. 1480.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
220708	36:1814 (1st sentence).	Nov. 20, 1981, Pub. L. 97-83, § 15 (1st sentence), 95 Stat. 1096.

§ 220709. 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. 1480.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
220709	36:1810.	Nov. 20, 1981, Pub. L. 97-83, § 10, 95 Stat. 1095.

The word “records” is substituted for “books and records” for consistency in the revised title and with other titles of the United States Code. The words “Nothing in this section shall be construed to contravene any applicable State law” are omitted as unnecessary.

§ 220710. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1480.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
220710	36:1804.	Nov. 20, 1981, Pub. L. 97-83, § 4, 95 Stat. 1094.

The words “in furtherance of its corporate purposes” are omitted as unnecessary.

§ 220711. 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. 1480.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
220711	36:1809.	Nov. 20, 1981, Pub. L. 97-83, § 9, 95 Stat. 1095.

§ 220712. 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. 1480.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
220712	36:1811.	Nov. 20, 1981, Pub. L. 97-83, §12, 95 Stat. 1096.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of reporting provisions in this section, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 207 of House Document No. 103-7.

CHAPTER 2301—VETERANS OF FOREIGN WARS OF THE UNITED STATES

- Sec.
- 230101. Organization.
- 230102. Purposes.
- 230103. Membership.
- 230104. Powers.
- 230105. Exclusive right to name, seal, emblems, and badges.
- 230106. Service of process.
- 230107. Annual report.

§ 230101. Organization

(a) FEDERAL CHARTER.—Veterans of Foreign Wars of the United States (in this chapter, the “corporation”), a national association of men who as soldiers, sailors, marines, and airmen served this Nation in wars, campaigns, and expeditions on foreign soil or in hostile waters, is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1481.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
230101(a)	36:111.	May 28, 1936, ch. 471, §1, 49 Stat. 1390; May 29, 1953, ch. 85, §1, 67 Stat. 40.
	36:112.	May 28, 1936, ch. 471, §§2, 4 (words before 4th semicolon related to perpetual succession), 49 Stat. 1390, 1391.
230101(b)	36:114 (words before 4th semicolon related to perpetual succession).	

Subsection (a) is substituted for the source provisions for consistency in the revised title and to eliminate unnecessary and executed words.

In subsection (b), the words “perpetual existence” are substituted for “perpetual succession” for consistency in the revised title.

§ 230102. Purposes

The purposes of the corporation are fraternal, patriotic, historical, charitable, and educational, and are—

- (1) to preserve and strengthen comradeship among its members;
- (2) to assist worthy comrades;

(3) to perpetuate the memory and history of our dead, and to assist their widows and orphans;

(4) to maintain true allegiance to the Government of the United States, and fidelity to its Constitution and laws;

(5) to foster true patriotism;

(6) to maintain and extend the institutions of American freedom; and

(7) to preserve and defend the United States from all enemies.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1481; Pub. L. 107-242, §2, Oct. 16, 2002, 116 Stat. 1497.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
230102	36:113.	May 28, 1936, ch. 471, §3, 49 Stat. 1391.

AMENDMENTS

2002—Pub. L. 107-242 inserted “charitable,” before “and educational,” in introductory provisions.

§ 230103. Membership

An individual is eligible for membership in the corporation only if the individual served honorably as a member of the Armed Forces of the United States—

(1) in a foreign war, insurrection, or expedition in service that—

(A) has been recognized as campaign-medal service; and

(B) is governed by the authorization of the award of a campaign badge by the United States Government;

(2) on the Korean peninsula or in its territorial waters for at least 30 consecutive days, or a total of 60 days, after June 30, 1949; or

(3) in an area which entitled the individual to receive special pay for duty subject to hostile fire or imminent danger under section 310 of title 37.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1481; Pub. L. 107-242, §1(a), Oct. 16, 2002, 116 Stat. 1497.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
230103	36:115.	May 28, 1936, ch. 471, §5, 49 Stat. 1391; May 29, 1953, ch. 85, §2, 67 Stat. 40; Mar. 7, 1995, Pub. L. 104-3, 109 Stat. 47.

The words “is eligible for membership . . . only if” are substituted for “may not be a member . . . unless” for consistency in the revised title. The words “served honorably as a member of the armed forces of the United States” are substituted for “served honorably as a member of the Armed Forces of the United States” and “while a member of the Armed Forces of the United States, served honorably” to eliminate unnecessary words. In clause (2), the words “at least” are substituted for “not less than” for consistency in the revised title.

AMENDMENTS

2002—Par. (3). Pub. L. 107-242 added par. (3).

§ 230104. Powers

The corporation may—