

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1345.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60101 .....	36:4813.	Nov. 5, 1990, Pub. L. 101-510, title XVI, § 1614, 104 Stat. 1738.

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”.

**§ 60102. Organization**

(a) FEDERAL CHARTER.—82nd Airborne Division Association, Incorporated (in this chapter, the “corporation”), a nonprofit corporation incorporated in Illinois, 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. 1345.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60102(a) .....	36:4801.	Nov. 5, 1990, Pub. L. 101-510, title XVI, §§ 1601, 1616, 104 Stat. 1736, 1738.
60102(b) .....	36:4815.	

Subsection (a) is substituted for the source provision for consistency in the revised title.

In subsection (b), the words “restrictions or” are omitted as unnecessary.

**§ 60103. Purposes**

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

- (1) perpetuating the memory of members of the 82nd Airborne Division who fought and died for this country;
- (2) furthering the common bond between retired and active members of the 82nd Airborne Division;
- (3) providing educational assistance in the form of college scholarships and grants to the qualified children of current and former members of the 82nd Airborne Division;
- (4) promoting civic and patriotic activities; and
- (5) promoting the indispensable role of airborne defense to the national security of the United States.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1345.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60103 .....	36:4803.	Nov. 5, 1990, Pub. L. 101-510, title XVI, § 1603, 104 Stat. 1736.

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

**§ 60104. 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, or national origin.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1346.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60104(a) .....	36:4805(a).	Nov. 5, 1990, Pub. L. 101-510, title XVI, § 1605(a), (b) (related to discrimination in membership), 104 Stat. 1737.
60104(b) .....	36:4805(b) (related to discrimination in membership).	

In subsection (a), the words “Except as provided in this chapter” are substituted for “Subject to subsection (b) of this section” for consistency in the revised title.

**§ 60105. 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 holding office in the corporation may not discriminate on the basis of race, color, religion, sex, disability, or national origin.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1346.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60105(a) .....	36:4806.	Nov. 5, 1990, Pub. L. 101-510, title XVI, §§ 1605(b) (related to discrimination in holding office), 1606, 1607, 104 Stat. 1737.
60105(b) .....	36:4807.	
60105(c) .....	36:4805(b) (related to discrimination in holding office).	

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

**§ 60106. 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. 1346.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60106 .....	36:4802.	Nov. 5, 1990, Pub. L. 101-510, title XVI, § 1602, 104 Stat. 1736.

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

**§ 60107. 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 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 and 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 AUTHORIZATION.—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. 1346.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60107(a) .....	36:4808(d).	Nov. 5, 1990, Pub. L. 101-510, title XVI, § 1608, 104 Stat. 1737.
60107(b) .....	36:4808(c).	
60107(c) .....	36:4808(a).	
60107(d) .....	36:4808(b).	
60107(e) .....	36:4808(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. The word “otherwise” is omitted as unnecessary.

**§ 60108. 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. 1346.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60108 .....	36:4814.	Nov. 5, 1990, Pub. L. 101-510, title XVI, § 1615, 104 Stat. 1738.

**§ 60109. 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 in-

spect the records of the corporation for any proper purpose, at any reasonable time.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1346.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60109 .....	36:4810.	Nov. 5, 1990, Pub. L. 101-510, title XVI, § 1610, 104 Stat. 1737.

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

**§ 60110. 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. 1347.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60110 .....	36:4804.	Nov. 5, 1990, Pub. L. 101-510, title XVI, § 1604, 104 Stat. 1737.

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

**§ 60111. 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. 1347.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60111 .....	36:4809.	Nov. 5, 1990, Pub. L. 101-510, title XVI, § 1609, 104 Stat. 1737.

**§ 60112. 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. 1347.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60112 .....	36:4811.	Nov. 5, 1990, Pub. L. 101-510, title XVI, § 1612, 104 Stat. 1738.

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 196 of House Document No. 103-7.